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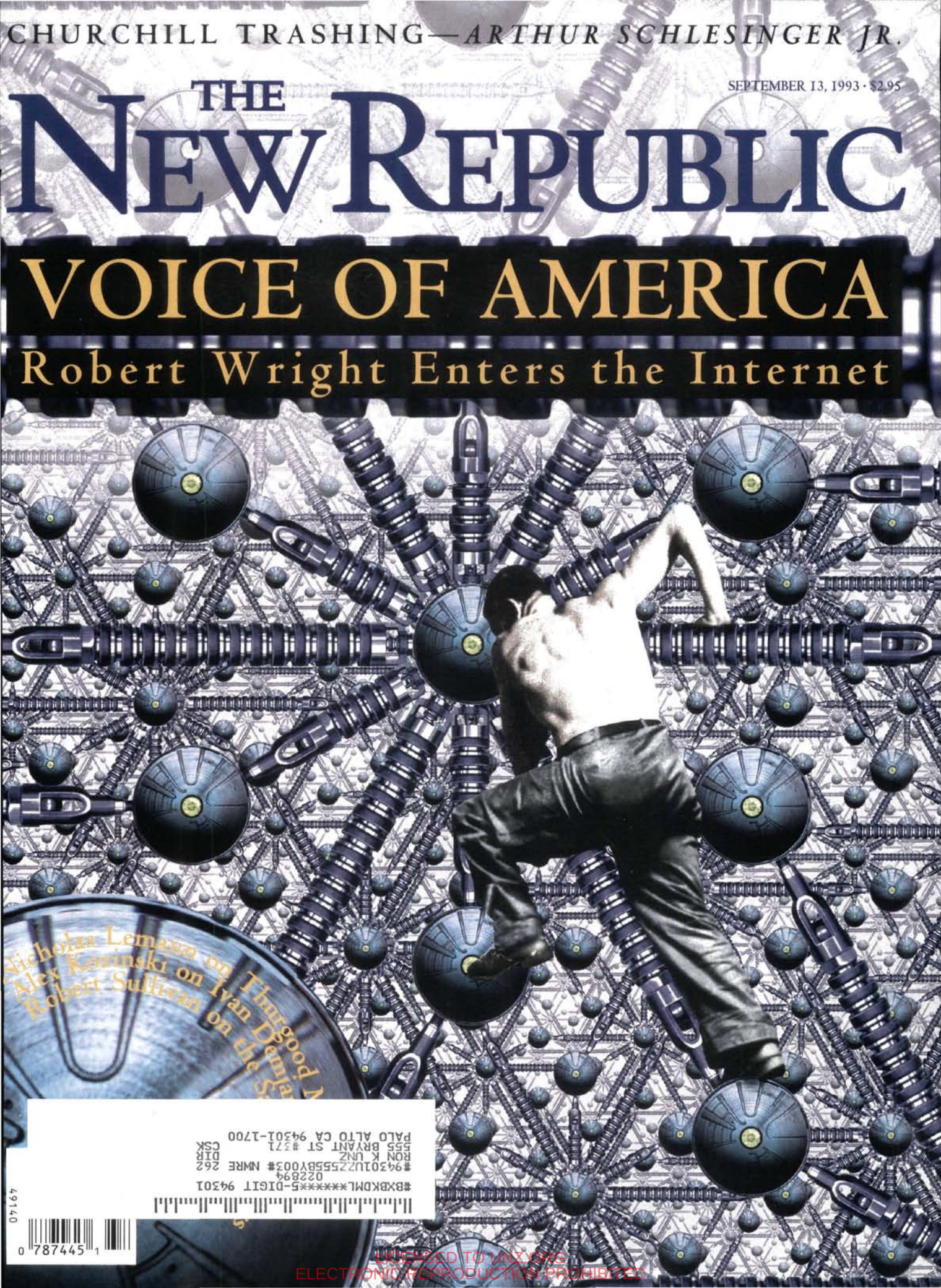

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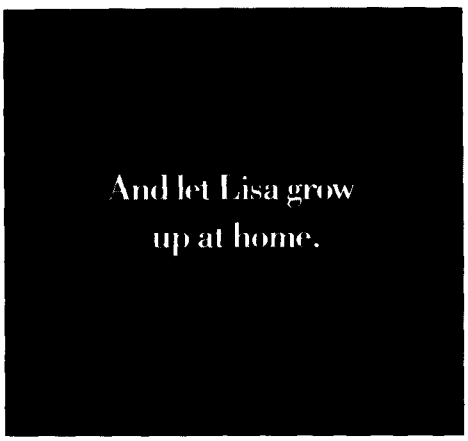

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FROM WASHINGTON

Martyr complex

"Recently I was reading somewhere or other [about] an Italian curio-dealer who attempted to sell a seventeenth-century crucifix to J. P. Morgan. It was not at first sight a particularly interesting work of art. But it turned out that the real point was that the crucifix took to pieces [and] inside it was concealed a stiletto. What a perfect symbol of the Christian religion." —George Orwell

No mainstream journal of opinion or op-ed page in America would publish those words today, except (as here) when cited with obvious irony and/or attributed to a secular saint like Orwell. The words are actually from an Orwell notebook and were not published while he was alive. But Orwell wrote often attacking not just organized religion but religious belief itself. This, for example (from a review of T. S. Eliot):

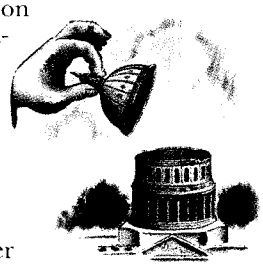
> In theory it is still possible to be an orthodox religious believer without being intellectually crippled in the process; but it is far from easy, and in practice books by orthodox believers usually show the same cramped, blinkered outlook as books by orthodox Stalinists or others who are mentally unfree. The reason is that the Christian churches still demand assent to doctrines which no one seriously believes in. The most obvious case is the immortality of the soul.

In America, this kind of talk—once familiar, if never common—has completely disappeared from the public discourse. Believers predominate and nonbelievers either pretend otherwise or keep quiet about it. There is a vast unacknowledged Church composed of those who believe in religion rather than (or at least more than) believing in God. But the noisy village atheist, the missionary of unbelief, is a virtually extinct social type.

In fact, the self-censorship of nonbelievers on the subject of religious faith is far greater than that of any dissenting minority on any other subject (including that favorite conservative example: the genetics of intelligence). There is a virtual taboo. From the evidence of American public debate, you would guess that the premise of the existence of God is as undisputed as the premise of the existence of gravity.

For this reason, I am honestly bewildered by the frequent complaint that American culture is hostile to religion—that religious beliefs are routinely belittled and held up to scorn. That has been a familiar theme of conservatives and neocons over recent years. And it is the burden of *The Culture of Disbelief* (Basic Books), an interesting new book by Yale Law professor Stephen Carter, a liberal. An excerpt from Carter's book occupied most of *The New York Times* op-ed page recently, and the book has already received favorable mention in *The Washington Post*.

What on earth are these people talking about? To be sure, the Supreme Court has made a mess of the Constitution's anathema on the "Establishment" of religion, and officials sometimes get carried away in protecting the secularism of public institutions. But are "Americans [who] take their religion seriously" consigned "to the lunatic fringe," as Carter would have it? Is there a "steady drumbeat" in American culture "that the religiously devout are less rational than more 'normal' folks"? Are those who "pray regularly" forced to keep it a "shameful secret"? Not in any America I recognize.



One problem here is of proportion. Carter's very first example of the alleged "culture of disbelief" is that a national magazine published a cover story on prayer and "a disgruntled reader" wrote in to complain that "so much space had been dedicated to such nonsense." As evidence of the state of our culture, surely a magazine cover story outweighs a single objecting letter from a reader. Likewise, Carter complains that when Hillary Clinton wore a cross to some public event, "one television commentator" asked whether this was appropriate. C'mon. These days, with T.V. talking heads by the dozens, any view expressed by just "one commentator" is by definition pretty marginal.

Another problem is to mistake vigorous disagreement for bias. Carter writes, "One good way to end a conversation—or start an argument—is to tell a group of well-educated professionals that you hold a political position ... because it is required by your understanding of God's will." Well, yes: if someone asserts that his position is based, not on reason or logic, but on "God's will," that may be right or wrong but it does make further discussion fairly pointless. And how does Carter wish people to respond to an assertion of "God's will"? If ending the conversation is out, and so is starting an argument, this leaves nodding assent as the only permissible option. That may be some folks' view of a desirable "culture of belief," but can it be Stephen Carter's?

Carter is right to complain about people who charge that any religiously based belief is ipso facto illegitimate in the public policy debate. But he cannot have it both ways. If religious voices want to be welcome in the debate, they must accept vigorous dissent without identifying it as anti-religious prejudice.

Carter is also right to note that the culture treats oddball religions with a mockery it would never apply to the mainstream faiths. The beliefs and practices of a "cult" like the Moonies, he argues, are not inherently weirder than those of the Roman Catholic Church. Of course if a nonbeliever were to make that very point—or to dismiss, Orwell-style, the Virgin Birth or the doctrine of transubstantiation—that would be taken as anti-religious bias. It is the free ride enjoyed by, say, the kosher dietary rules—not the ridicule of the Reverend Moon's mass marriages—that indicates the culture's true attitude toward religious belief.

Some of those who complain of American culture's alleged contempt for religious belief are the same people who, in other contexts, complain about the politics of victimology. Blacks, women, homosexuals and so on are accused of claiming victimhood as a way of getting special favors from society. These critics see an epidemic of victimhood spreading, through cultural developments like the self-help movement, to infect an ever-expanding share of the population. And perhaps they're right. Because what could be more absurd than religious believers—90-plus percent of the population, embracing precepts no politician or major cultural figure of any sort would dare to challenge—succumbing to the romance of victimhood?

Does anybody really think it's harder to stand up in public, in 1993 America, and say, "I believe in God," than it is to stand up and say, "I don't"?

MICHAEL KINSLEY

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SEPTEMBER 13, 1993

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CORRESPONDENCE

Rebuttable assumption

To the editors:

After reading the editorial "Light in the Closet" (August 9), I was left wondering if you had read the same Defense Department policy that I had, or if—like most of the media—you had simply been "spun" by the White House. Blinders removed, the truth becomes painfully obvious: the new DOD policy is a mere repackaging of the old ban. Theoretically, (homosexual) sexual orientation is no longer a barrier to military service—sexual orientation, that is, as an abstraction. Once a gay servicemember's sexual orientation leaves the realm of the abstract, however, he or she is clearly no longer welcome in the U.S. military.

The editorial states that gay servicemembers will no longer be forced to explicitly lie about their sexual orientation. Obviously, you did not read the section in the DOD policy regarding "rebuttable presumption." This is where a gay soldier is generously given the opportunity, after "credible evidence" has been presented that he or she is indeed a homosexual, to either lie about his or her orientation or to vow never to act on homosexual desires. The editorial also states that the "new" policy will enable gay servicemembers to display pictures of their significant others on their desks; it fails to mention that the servicemember is precluded from disclosing the identity of the individual in the picture. Ahh, sweet liberation. Finally, there is no guarantee that the combination of participation in a gay march and having a picture of a significant other on your desk will not trigger an investigation, not to mention *informal* investigations. In other words, there is no guarantee that the witch-hunts will end.

ANDREW J. HOSTETLER
Washington, D.C.

Ushka comes to shove

To the editors:

Liesl Schillinger's complaint about the use of the term *devushka* turns out to be yet another thing we can blame communism for ("Devushki!," August 9). When men in Moscow start calling you *devushka* (girl), she explains, "scarily, you slowly begin thinking of yourself as something diminutive, something not very menacing that ends in 'ushka.'" Before the Revolution, people used to call women *gospozha* (madam), but of course communism changed all that. In the Soviet Union, women were reduced to *grazhdanka* (citizen), or *tovarishch* (comrade). With choices like these, I can easily see why Russian women would opt for *devushka*. Communism may have forced workplace equality on Russian women, but it failed to give them anything even remotely resembling equal status in Russian society.

Still, we can't blame it for everything. *Devushka*, you see, isn't even a diminutive. It's derived from the archaic word "deva," but "deva" passed out of the language ages ago. And "ushka" isn't a diminutive ending—diminutives of *devushka* might be *devochka* or *devon'ka*. The ending "ushka" is sometimes affectionate, sometimes respectful and sometimes means nothing at all. If Schillinger has this objection to *devushka*, what must she think of the words for "pillow" (*podushka*), "frog" (*liagushka*) and "feeding trough" (*kormushka*)? And if she so dislikes diminutives, what must she think of her own name, Liesl, which is itself the German diminutive form of Lisa?

SASHA VOLOKH
Washington, D.C.

Protesting too much

To the editors:

I have no real evidence that Michael Kinsley has totally lost his sense of humor since Bill Clinton began his occupancy of the White House (TRB, "Who Killed Vincent Foster?," August 16). In fact, I don't really even believe it. But it sure is easy to make the case, if one were to observe Kinsley's hysterical reaction to critical press coverage of the president and his entourage.

First, there is the issue of *The Wall Street Journal*'s alleged editorial double standard as regards the Clinton administration. The *Journal*, on its editorial pages, has actually deigned to make fun of the president, his wife, White House personnel and the newly prestigious Rose Law firm. As Kinsley well knows, if hostile editorials were sufficient to drive people in the White House to commit suicide, he and his cohorts would have had their word processors dripping with Republican blood all through the 1980s.

The real question has to do with the validity of the issues of integrity and accountability in the White House raised by the *Journal*. The White House, through the efforts of Vincent Foster

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and William Kennedy, did wrongfully persuade the FBI to announce it was conducting a criminal investigation in order to provide political cover for the White House, even while Lady Hillary was on her campaign to save us from the "excessive" companies through a hedge fund she invested in. And guess who the Clinton's personal lawyer was, who apparently didn't see any ethical problems with this before *The Wall Street Journal* called it to everyone's attention? The same Vincent Foster.

Then there is the very interesting case of the status of Hillary Rodham Clinton as "the functional equivalent" of a government employee. In the hearings on the subject before Judge Lambeth, according to *The New York Times*, the White House lawyers stated Hillary's health group had not yet met. And yet White House logs clearly showed that the group had already met two or three times. Now, were the White House lawyers deliberately perjuring themselves, or were they merely incompetent?

JOE BENNING
Summit, New Jersey

Aideed too

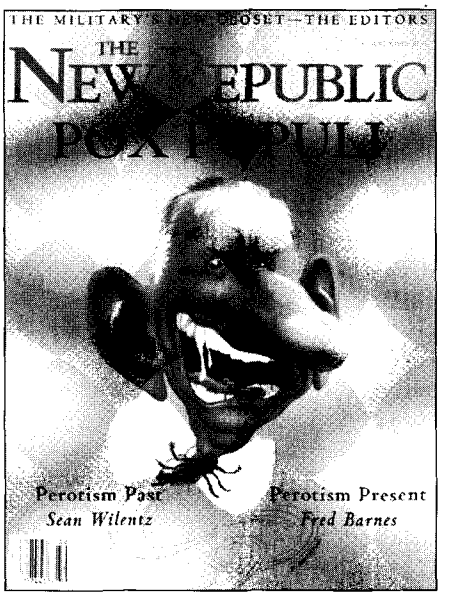
To the editors:

S. J. Hamrick's article "Aideed It My Way" (August 9) demands a response, not so much in correction of certain inaccuracies (e.g., the Italian contingent neither asked for nor received assistance in its military actions from the other military contingents), but in answer to some questions the author raises about possible political motivations behind Italy's conduct.

The first observation has to do with Somalia. Aideed is a rebel and should be arrested; his militias probably number no more than a few thousand men, and it should not be impossible to capture him if adequate force is used. However, Aideed heads a large clan, the Habre Ghedir, with many members and affiliates. If the operations against Aideed leave behind a long trail of death among the clan's women and children living in South Mogadishu, one may obtain a volatile peace today, but at the price of true reconciliation tomorrow. This is what Italy has been asserting, and there are signs that everyone is now giving serious consideration to this point of view.

My second observation moves beyond Somalia per se, and deals with the principle of a unified command. There must be a U.N. unified command to conduct operations based on Chapter VII of the Charter. However, if a national contingent is committed to a major military operation that results in heavy losses of human life, Parliament and public opinion in that country will demand an explanation from *their* government—not from General Bir or the U.N. That government may thus be obliged to assume responsibility for actions it did not define and whose conduct or scope it had no manner of evaluating. This is the problem that has been in part brought to light by the situation in Somalia, and one that remains begging for a solution. The United States is well aware of this issue: while its support and logistics units are under U.N. command, the quick reaction force, i.e., the combat element, is under the command of a U.S. general who retains final say on their deployment.

BORIS BIANCHERI
Embassy of Italy
Washington, D.C.



Calumny

To the editors:

Had any other ethnic group in the country been tarred with the kind of description that Tom Dine, head of the pro-Israel lobby, offered as the image of "ultra-Orthodox" Jews, the editor of TNR would surely have been among the first to issue a condemnation. Why is it,then, that when *this* group is disparaged, and it raises its voice in protest, it is singled out for scorn? How is it that all of a sudden, when an entire group of Jews is denigrated in the ugliest of terms—the word "smelly" echoes the medieval calumny of *foetor Judaicus*—Martin Peretz can describe this so sweetly (Cape Cod Diarist, "Boom," August 2) as merely telling a reporter that there are "class prejudices" within the Jewish community against them?

Peretz's rendering of the AIPAC episode—that Dine's resignation was "secured" by the "ultra-Orthodox"—is in itself another manifestation of Orthodox-bashing, and he knows it. The now-famous letter of outrage over Dine's remarks by Agudath Israel of America's president, Rabbi Moshe Sherer, was a private communication, not released to the public by Agudath Israel. Furthermore, it did not call for Dine's resignation.

Peretz should also know that whatever objections Agudath Israel has had to secular Zionism, its constituency takes a second seat to none in speaking out for the security of Israel. In his argument that "these Jews have done least for the Jewish state," he ignores the fact that it is they who have to a large extent preserved the specifically Jewish component of Israeli life.

RABBI YITZCHOK BRANDRISS
Agudath Israel of America
New York, New York

Happenings

To the editors:

My mother died on Sunday, July 25, after more than two years of stroke-induced degeneration. The most recent such hospital stay ended on July 19, after a telephone conversation in which I accepted the resident's clear but unspoken recommendation to decline the feeding tube that would have kept my mother alive a few days or weeks longer but never have brought her back to lucidity.

About half an hour after my telephone call from the highway, and just two hours before I arrived at her home after a 700-mile journey, the health aide, putting the final touches on her hair after bathing and dressing her for my arrival, noticed that my mother had stopped breathing.

On Tuesday, July 27, in the living room of my mother's house, I mournfully perused the mail, settling on the latest (August 9) issue of THE NEW REPUBLIC as an escape from my sorrow and uncertainty.

I needn't describe the impact of happening upon Eamon Grennan's magnificent poem, "What Doesn't Happen," but I must acknowledge my debt to him. His poem captured (articulated? crystallized? transformed?) my frame of mind.

H. STEPHEN STRAIGHT
Binghamton, New York

The editors welcome correspondence from readers. Letters should include the writer's full name, address, and telephone number; be typed double-spaced; and be held to under 200 words. Letters may be edited for space. Please address letters to: Correspondence, TNR, 1220 19th Street, N.W., Washington, D.C. 20036.

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

Slanted Civics

A few weeks ago, I received a copy of a new civics textbook being promoted around the country. It's called *Civics for Democracy: A Journey for Teachers and Students* (Washington, D.C.: Essential Books, 1993), and unlike the usual civics text, which talks about how various institutions of government work, this one aims to show students how they can bring about change in government. As an introduction, the book devotes several chapters to important citizen protest movements like the civil rights and the labor movements. A textbook like this must do two things. It's not enough to acquaint students with techniques for protest and social action; it needs to teach them to think about public issues. But instead of helping students learn *how* to think, this book tells them *what* to think. It seldom acknowledges that there are different points of view from the one it presents, and sometimes it is downright wrong.

Instead of helping students learn *how* to think, this book tells them *what* to think. It seldom acknowledges that there are different points of view, and sometimes it is downright wrong.

Those of us who participated in the March on Washington, which took place just 30 years ago, will be shocked to see how the book minimizes and misrepresents that great event. We are used now to huge numbers of people coming to Washington in support of a cause. In 1963, no one had ever seen a group as large as the 250,000 who gathered to present the demands of the civil rights movement and show it was a coherent force.

The goals of the March on Washington for Jobs and Freedom—that was its full name—were enormous. They called for an end to all segregation (in housing, schools and voting), an increase in the minimum wage and the creation of jobs. And, with the March, a movement that had been primarily black and southern became a national crusade in which white northerners and labor and religious leaders joined in solidarity with black Americans.

You would never know any of this from reading *Civics for Democracy*'s treatment of the March. It ignores the March's grand purpose, claiming that the goal was to support a single piece of legislation. It devotes more space to Malcolm X's criticism of the March as a "sellout," "a takeover" by "the white power structure" than to the March itself.

The presentation of the March on Washington is consistent with *Civics for Democracy*'s treatment of the entire modern civil rights movement—it's no surprise that the book prefers Malcolm X and Huey Newton to Martin Luther King. There have always been thinkers who see every conflict in terms of irreconcilable differences and who believe that conflicts—like the one between black and white Americans—can be resolved only if one side vanquishes the other. But this is just one point of view—and it isn't particularly democratic. Unfortunately, *Civics for Democracy* is not responsible enough to present any other point of view—or honest enough to identify its own bias.

The book's picture of the labor movement is similarly distorted by bias. One of its central points is that the labor movement lost its potential for success and greatness—and became less democratic—when it expelled its Communist members. According to *Civics for Democracy*, the expulsion took place because of "pressure from government and society," but few reputable historians would agree. Indeed, most recognize that unions expelled the Communists for the same reason that they fought Nazism, Fascism and Communism—they represent systems that destroy the democratic right of workers to have free trade unions.

Civics for Democracy criticizes the labor movement for joining the "mainstream of the Democratic party" after World War II and treats this, along with the expulsion of Communist members, as another big reason for its decline. What should unions have done? If you combine the author's view that the Communists were the best people in the unions with her idea that joining the Democratic (and, presumably, the Republican) party was selling out, it's hard to escape the conclusion that the labor movement should have supported the Communist party—a bizarre conclusion at this point in history.

The recommended student activities, which suggest that the appropriate attitude towards most institutions is suspicion, reflect this bias. For example, students are encouraged to look for toys that do not meet Consumer Product Safety Commission standards, carry out surveys of buildings that are not accessible to the handicapped and analyze public school sports budgets for discrimination against female sports. It's important for kids to be aware of their responsibility in such matters and the power they can wield. But a full year of only this kind of thing is likely to make them feel that our country's institutions and leaders are fundamentally rotten. That's not what a civics text should be doing—unless, of course, you're trying to overthrow the system rather than teach students about it.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1993 by Albert Shanker.

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THE NEW REPUBLIC

SEPTEMBER 13, 1993

THE VETO ALLIANCE

"We are ready to act," said Stephen Oxman, the assistant secretary of state for European and Canadian affairs, and the American diplomat who, in the prosecution of our policy toward Bosnia, or rather in the lack of its prosecution, has emerged as the new model of upper-middle-level Foggy Bottom bloodlessness. Oxman was referring to the threat of air strikes on the Serbian shelling and slow stifling of Sarajevo. This is what our policy has come down to: since we did not save Bosnia, we will save Sarajevo. We will come to the aid of Bosnia by leaving it something to remember itself by.

Oxman's latest expression of American fecklessness will hardly rattle the triumphant Milosevic, and not only because he has heard us rattle our sabers before. Even as Oxman was speaking to NATO, the United States acquiesced (after some discussion, of course; we believe in discussion) in the surrender of authority over NATO warplanes to the secretary general of the United Nations. The statement of the NATO alliance of August 10 said that Boutros Boutros-Ghali shall have the veto, "that the first use of air power in the theater shall be authorized by him." The VETO alliance, it might be called.

The desire of our European allies to unburden themselves of this particular duty is now well known. The really shocking thing about the new chain of command is the triumph of Boutros-Ghali over Bill Clinton. A week after the cave-in in Brussels, there occurred a cave-in in Washington. "Shifting away from the long-standing tradition of American commanders for American troops, the Clinton administration is considering an expanded role in United Nations peacekeeping operations that would include having Americans serve under foreign commanders on a regular basis." Sounds pretty innocuous: we will, as part of a multilateral force, live with a multilateral chain of command. But this shift means something more. It is further proof of the deformation of multilateralism at the hands of the Clinton administration.

Oh, for the days of primus inter pares! Consider the difference between the multilateralism of Bush and the multilateralism of Clinton. According to the former, the United States, in the aftermath of the cold war, must act in concert with other nations, but as their leader. According to the latter, the United States, in the aftermath of the cold war, must act in concert with other nations, but as just another nation. In no time at all, Clinton has made Bush's insistence on an international consensus at the United Nations seem only like an inflection of American leadership. Bush's multilateralism complicated, but it did not inhibit, America's war against Iraq. Clinton's multilateralism would have left Saddam in Kuwait City. Or would a joint American-French-Pakistani-Swedish-Egyptian-Australian force under Venezuelan command have sent the Republican Guards running?

The irony, of course, is that this misplaced egalitarianism about America and the nations was precisely what the U.N. charter was designed to avoid. There are "permanent members" of the Security Council because the authors of that charter correctly understood that no kind of collective security was possible that ignored the realities of power in the world; that it is absurd to pretend that some states are not, by orders of magnitude, more powerful than other states, and that they, the more powerful ones, have special responsibilities.

The Clinton administration seems to feel uncomfortable, or embarrassed, or guilty, about that specialness. Time was, and not too long ago, when it was only the veto of "the Europeans" that the administration needed to excuse its delinquency in Bosnia. Now, when the destruction of Sarajevo is beginning to look like an American disgrace, and pressure is mounting for American action, stronger measures to preserve us in our inaction are necessary. And so the president and his moderate, cautious, centrist, pragmatic and thoroughly heartless advisers hand the veto to the United Nations. This is not multilateralism. This is multiculturalism. Creative new ground, in foreign policy. •

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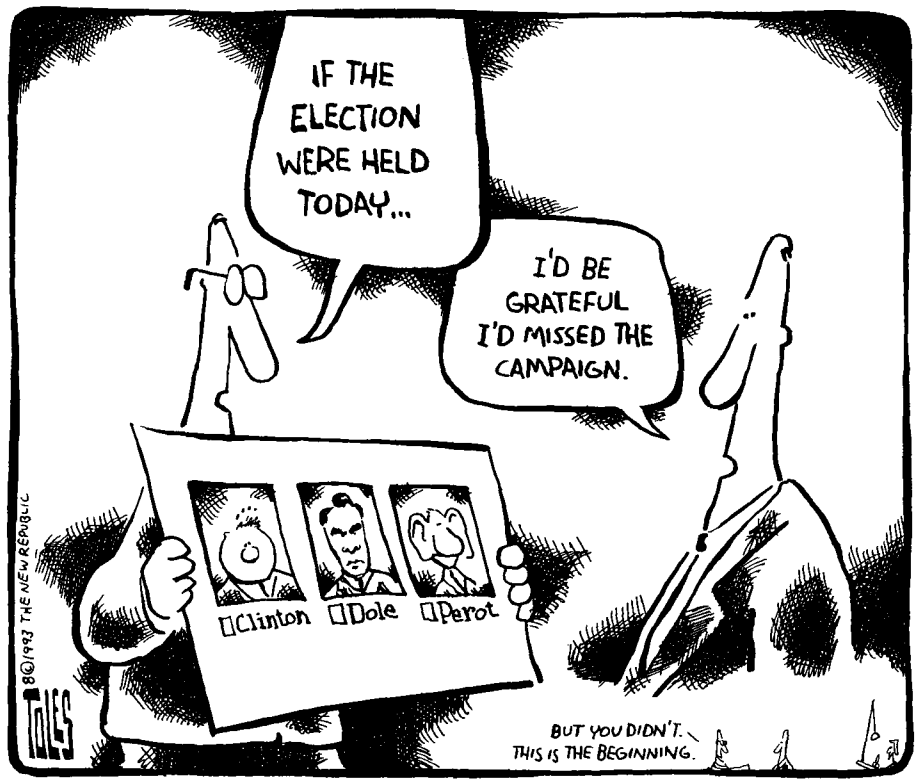
NOTEBOOK

HEAR NO EVIL: It's hard to know which is the more excruciating—Susan Sontag visiting Sarajevo to direct a play or neoconservatives having a cow about it. In a pinch, we pick the neocons. *New Criterion* editor Hilton Kramer's broadside on Sontag in *The Wall Street Journal* was a case study in clichés: the attack on politically obtuse "intellectuals," the pretense at world-weariness, the creaking accusation of naive fellow-traveling. To be sure, Sontag is no Orwell (she's not fighting anybody); and her moral posturing is hardly pretty. But there's no doubt that she is on the right side (and at some risk to her personal safety), and that Kramer's assertion that, in this war, there "isn't even the illusion" of a choice between good and evil is preposterous. If Kramer cannot see that the citizens of Sarajevo are the victims of evil, then his moral obtuseness is greater than that of the intellectuals he scorns. As for Sontag, we can only wonder why she should have decided, in order to cheer up the war-weary citizens of Sarajevo, to put on *Waiting for Godot.* At least she didn't do *Endgame.*


IF THE ELECTION WERE HELD TODAY...
I'D BE GRATEFUL I'D MISSED THE CAMPAIGN.
☐Clinton ☐Dole ☐Perot
BUT YOU DIDN'T. THIS IS THE BEGINNING.
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TOLES

NANNY GET YOUR GUN: On December 18, 1951, two Mexican newspapers, *Excelsior* and *El Universal,* reported that a particularly perky 4-year-old had murdered his 13-year-old nanny, Manuela. That 4-year-old was named Carlos Salinas, a young man destined for greater things. The Salinas family did not know Manuela's last name. The future president explained to *Excelsior* that he and his brother, Raul, had been playing "war," had "sentenced the nanny to death" and so had shot Manuela through the head with a .22-caliber rifle. When asked what happened by *El Universal,* Carlos said, "I killed her with one shot, I am a hero." But he may have had a change of heart; friends of ours who tried to track down the stories in the newspapers' clippings file in Mexico could no longer find them.

STILL STANDING: For all the media's concentration on the divisiveness of the pope's visit to America, there was much in his statements—about the necessity to value human life and about the collapse of shared moral truths—that cut to the spiritual core of America's current condition. But on other matters, the pope is still oddly intransigent. President Clinton's only critical remark to the pontiff referred to one of them: he urged John Paul II to develop "closer ties" with the state of Israel. This is a euphemism, of course. The Vatican is one of very few non-Arab states not to have diplomatic relations with Israel. Had the Vatican recognized Israel even five years ago, it would have advanced the peace process an inch or two and steadied relations between Jews and Catholics the world over—especially in those states where anti-Semitism seems on the rise. Right now, if there's a peace agreement in the Middle East, John Paul II could find Saddam Hussein is the only head of state who agrees with him.

BACK TO SCHOOL: When the Ruth K. Webb Elementary School in Northeast Washington resumes classes next week, it will become the district's first school to adopt an Afrocentric curriculum. To carry this out, the school board has hired consultant Abena Walker at the cost of $84,000. Walker enrolled teachers and parents in classes at the Pan-African University, an unlicensed and unaccredited institution with no campus. The founder of the Pan-African University, it turns out, is Walker herself. And when *The Washington Post* asked her to name some of its graduates, she could name only one—you guessed it, herself. As to the actual content of the classes, school Superintendent Franklin L. Smith said, "I'm pretty confident it will be in line with the curriculum we would ordinarily teach our youngsters." Somehow, that's not very reassuring. •

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THE FLAPJACK FILE

VINEYARD HO!

By Douglas G. McGrath

Tuesday, August 17—The White House

Things were tense around here tonight. It was midnight before the First Lady got back from the crypt where she meets with her health group. She was in her judo shorts and some little boots and disappeared into the private quarters. They were fighting again about where to go on vacation. Suddenly, Flap threw the door open. He was wearing a T-shirt that said, "A Plurality Is Better Than Nothing!" and stalked to the kitchen to feed Socks. He opened a can of Tuna Shocker, stood over Socks's bowl and scooped out a forkful. Though regulations discourage speaking to the president unless spoken to, I said, "Are you O.K., Mr. President?"

He ate the forkful and smiled. "Thank you for caring, Agent Duke. Now that I'm about to take my first vacation as president, I was thinking about how I've done, about what I promised and what I delivered, and about how I never stop thinkin' about tomorrow. Here's how I reckon: I promised a middle-class tax cut and I delivered it. There were negotiations, of course, and I had to modify it. Technically, it's now a tax hike, but the semantics aren't important. Also, I said I would promise a Cabinet that looked more like America, and I think I've delivered that. Everyone in my Cabinet is overworked and underpaid."

Thursday, August 19

Mr. Gergen suggested that Mr. Steph's idea of a Vacation Summit to resolve the Flaps' argument might be overkill, so a Town Meeting was held instead. That settled things. The first stop was golf with Gerald Ford. Agent Searle says that Ford's game is improving. When his caddy was picking up a tee, Ford ran over him, but only once. He twice hit balls into people, and although one woman had to be hospitalized, the other ball hit Flap in the stomach and so was absorbed.

Tuesday, August 24—Martha's Vineyard

Vacation going nicely. The first day there was golf, and in the afternoon William Styron read from his new book about his hangnail. Day Two there were cocktails at the Jordans, where Walter Cronkite showed Flap a tape of Dan Rather closing the news by saying, "Courage." That's all it was, just that bit on loop, and Cronkite nearly killed himself laughing. Day Three the Flap and his mother, Mrs. Kelley, went biking with Jacqueline Onassis. When Mrs. Kelley met Mrs. Onassis, she began squeezing her arm. "Lawsie, you're scrawny! I bet the supermarket door don't open when you stand on that little mat!"

Today, there was an agriculture fair. Flap wanted to go because it might be like that Elvis movie *Roustabout.* Mrs. Kelley wanted to go too. "Maybe they got some pretty hogs!" she said to Katharine Graham over tea, "or a geek!" Flap had a great time. After the year he's been through, it did him good. As he sat for a new tattoo that said, "I Like Vacation!," his secret hillbilly voice came out. "Whoooo, Mama!" he yelled, scratching himself and smiling. "This sure beats Swamp Town!"

DOUGLAS G. MCGRATH is a New York writer.

The next enviro-war.

SMOKING SALMON

By Robert Sullivan

It used to be that salmon would swim up through the Columbia and Snake Rivers, spawn and then die, leaving it to their progeny to head back down to the sea in an eternal and anonymous process. But lately the ways of the Northwest's Pacific salmon seem less eternal and anonymous than surreal. On August 12, at Redfish Lake, a glacial catch basin in Idaho's Sawtooth Mountains, the first of twenty-four sockeye salmon, hatchery-raised from the eggs of the last four wild females to return from the sea, were released with a splash and the clicks of a thousand shutters by none other than Jamie Lee Curtis, a resident of nearby Ketchum and the foster namesake of the particular hatchery fish that the state named Wanda. Meanwhile, in the town of Stanley, eight miles down the Salmon River, the Sawtooth Valley Boosters were planning a sockeye salmon dinner to protest the economic ill effects of salmon restoration acts like the one participated in by Curtis—that the 150 pounds of sockeye for the dinner had to be flown in from Alaska was an irony apparently lost on them. And then, a few days later, at a hearing on the salmon in Portland, Oregon, an offhand suggestion by a congressman quickly grew into a headline in *The Oregonian*: NW OFFICIALS SEEK CZAR FOR SALMON CRISIS.

It's not as if a czar would do any good; for the last twelve years there has been a source of central authority, the Northwest Power Planning Council. Under its stewardship, however, salmon runs have continued to fall dramatically, and the entire issue is about to be thrown into the courts. Environmentalists are lobbying to put additional salmon runs on the endangered species list, which already includes sockeye and chinook

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runs on the Snake River; Native Americans are angry about having fishing rights without any fish. A czar would be both redundant and too late.

Formed in 1980 under the Northwest Power Planning Act, the council was charged with balancing the long-term energy needs of the region with the needs of its fish and wildlife. Each of the four states within the France-sized Columbia River Basin—Oregon, Washington, Idaho and Montana—appoints two delegates to the council, which, in theory, tells the federal agencies running the river how high the water should be and how fast it should flow. Here the council hits the main point of conflict between salmon and humans: salmon generally require strong stream flows in the spring and summer (when young smolts are coasting to the sea) while humans generally prefer fast-running rivers in the winter and fall, when hydro power is used for heating.

Unfortunately, in refereeing the conflict, the council often ends up looking like a little kid stamping its feet. The Bonneville Power Authority and the dam's builders and operators, the Army Corps of Engineers and the Bureau of Reclamation, have historically not been as interested in fish as they are in power generation, navigation and irrigation. In many dams, fish passages were built after the fact. On the Grand Coulee, they were never built. As a result, there are no more anadromous salmon runs on the 646 miles of Columbia behind the dam.

Photo by Wesley Andrews for Oregon Historical Photos

To be sure, the council isn't completely to blame for its failure to manage the river operators. In part because of the disputed constitutionality of a group of state appointees telling federal agencies what to do, the Army Corps and the BPA are more likely to study the council's recommendations than adhere to them. There is also an uncomfortable budgetary arrangement: the BPA pays the council's budget, which is something akin to General Electric writing Ralph Nader's paycheck. "People just aren't carrying out what we want done," says Ted Hallock, one of Oregon's council members. Hallock recently went before a congressional subcommittee to complain that Bonneville underfinanced the council. This seems a plausible charge given all the money the BPA spends printing posters and pamphlets making it seem that salmon actually prefer dammed rivers.

But some say the council—bogged down by political hacks and parochial concerns—has only itself to blame. In the past twelve years, while the BPA spent $1 billion picking and choosing parts of the council's recommendations, fish runs fell to around 2 million, from roughly 4 million in 1980. "The council just didn't put up the good fight," says Ed Chaney of Idaho's Northwest Resource Information Center.

One sign of leadership has recently emerged. The National Marine Fisheries Service, the federal agency in charge of listing the salmon as endangered, has pushed the BPA and the Army Corps to make the river flows more amenable to fish. The good news may end there, though. The service's regional director, Roland Schmitten, a man with relative anti-hydropower leanings, is said to be in line for the national director's post, and fish advocates fear he might not be as bold in the appointment of his successor. In addition, the advance word on the NMFS salmon recovery plan is that it includes the same sad fixes, such as more trucking of salmon smolts around the dams and, a relatively new trick, boat patrols to escort salmon runs up the rivers.

Moreover, even if the council were given new potency or the NMFS found more political will, there are two big complications waiting upstream for the Northwest's Pacific salmon, the first of which may bring about a new era for the Endangered Species Act. Bull trout, rainbow trout and other resident fish—fish that have learned to live in the man-made slack pools behind the dams—are now in danger when the pools are drawn down to create fast flows for salmon. At some point, a decision will have to be made as to which species gets the water.

The other looming issue concerns the thousands of other salmon runs, from California to Washington, just waiting to be listed as endangered. These runs are beyond the council's jurisdiction, and they are in jeopardy not from dams but from logging, poor hatchery programs, overfishing, overgrazing of livestock and polluted water. A petition is currently being prepared to list coastal coho salmon as threatened, though, as in most wild salmon cases, the populations have yet to be adequately monitored; the Pacific Rivers Council plans to ask the government to extend the habitat maintenance regulations proposed for the spotted owl to cover salmon.

This second salmon crisis also points to a weakness in the strategy of the pro-fish crowd—their focus on dams. "The environmental community took dams and they overstated their importance," says Bill Bakke, resource director of Oregon Trout, "and then the press jumped on it and that was an oversimplification of the problem." By focusing on the dams, the fish sound like just another species that is ultimately savable in specific restricted zones. This is a mistake: sea-run salmon are the original bioregionalists; they make their way across state, federal and international boundaries. Consequently, their vast habitat is affected by myriad government agencies—a single salmon has a stake in every-

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thing from the Alaskan fishing levels set by the Commerce Department to the Bureau of Land Management's manure treatment procedures in Montana.

This complexity may account for why it has taken so long for the situation to get noticed. That's too bad, for the salmon's complexity makes it a better canary for our overall ecological picture than the comparatively parochial spotted owl, and from the looks of things the canary seems to be panting. Most Columbia salmon had hatchery parents and pale in genetic comparison to their ancestors; just 14 percent of the original wild coho population is thought to remain.

Whether it's because their coastal watersheds are clearcut or because they are veritable canals running $11.2 billion in grain and other commodities, the Northwest's rivers can't ever really return to what was once natural; we are left with the choice of trying to continue fixing the rivers with technology or letting them act a little more like actual streams. "Here we have two of the most adaptable species in the Northwest, man and salmon," says Tim Stearns, director of Save Our Wild Salmon, "and we know the present system doesn't work, so the question now is, should Northwesterners adapt to the Northwest or should we make the Northwest adapt to us?"

ROBERT SULLIVAN is a writer based in Portland, Oregon.

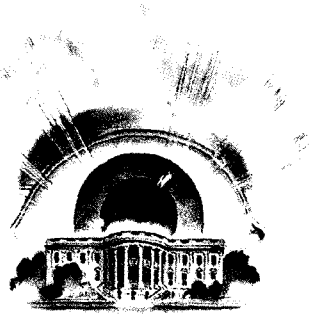
WHITE HOUSE WATCH

SHALI, SHAN'T HE?

By Fred Barnes

To help President Clinton choose a new chairman of the Joint Chiefs of Staff, Defense Secretary Les Aspin sent a military instructional film to the White House. Stop snickering. It wasn't one of those films shown in a dark theater to Army or Marine recruits. This one consisted of clips of speeches or other public appearances by several candidates for the top military job, including General John M. Shalikashvili, the NATO commander. Clinton, after all, is famously unfamiliar with the armed forces in general and not intimately acquainted with individual generals or admirals either. The film helped the president, chronically indecisive, make an unusually quick decision. And he wasn't ridiculed the way Ronald Reagan would have been if his aides had put together film clips to ease his decision-making pains. Rather, Clinton drew near-universal praise for selecting Shalikashvili.

For once the Clinton appointment process worked without a glitch, sputter or false start. Thank Aspin for that. Not only did the defense secretary guide Clinton to the man he wanted to replace retiring General Colin Powell, he got the president to follow a careful strategy in getting there. In fact, Clinton announced the Shalikashvili nomination nearly two weeks ahead of the schedule outlined by Aspin in a July 22 memo to the president. "It is very important that there be sufficient time for the confirmation process and an orderly transition," the defense secretary wrote sternly. "By law, the new chairman must be sworn in by October 1st." Clinton got the message, deciding so swiftly that gay groups barely had time to protest one of the finalists, Marine General Joseph P. Hoar, who heads the U.S. Central Command, General Norman Schwarzkopf's old post.



Why Shalikashvili? Aspin has been crazy about him since the general commanded Operation Provide Comfort in 1991, which used American troops to protect the Kurds. (Aspin was chairman of the House Armed Services Committee at the time.) This was the military's first major humanitarian operation, the precursor to intervention in Somalia. And Shalikashvili's performance fit squarely with Aspin's ideal of a new JCS chairman. "In my judgment," he said in the memo, "by far the most important quality is that the new Chairman be a *warrior*. He should have your unquestioned confidence in his ability to organize, lead and win any military action you direct him to take."

Shalikashvili had other administration boosters. George Stephanopoulos, Clinton's all-purpose adviser, was taken with the notion of a Polish-American as military chief, especially one with a thick accent. Shalikashvili came to the United States at 16, was drafted in 1959, went to Officer Candidate School and rose from buck private to four-star general. David Gergen, the White House counselor, was impressed by Shalikashvili's patriotism, especially when the general commented that he hoped it would never become old hat for him to visit the White House. Secretary of State Warren Christopher was also a fan. He'd encountered Shalikashvili several times, most recently at an August 6 briefing in Italy on possible NATO air strikes against Serbian forces in Bosnia. Christopher concluded that Shalikashvili understands how military force can be used to support diplomatic efforts.

But Aspin was the key booster. He regards Shalikashvili as an idea man like himself. (Aspin was an intellectual in Robert McNamara's Pentagon before going to Congress in 1969.) The general earned a master's degree in international relations from George Washington University, and uses literary allusions in his speeches. In a June speech to a NATO workshop in Hungary, he quoted John Updike: "An old world is collapsing and a new world is arising. We have better eyes for the collapse than for the rise, for the old one is the world we know." Those weren't lines for which Updike will be

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long remembered, but Shalikashvili insisted the author "was of course correct."

Shalikashvili is very much a post-cold war general. He has thought about and often discussed the role of the military in support of United Nations missions. In the speech quoting Updike, he contended NATO should participate heavily in U.N. efforts. "NATO should not be viewed as a tool of the United Nations, but rather as a partner where the United Nations establishes the moral and legal mandate for specific action, and the Alliance [NATO] provides the tools, or at least the majority of the tools, to fulfill that mandate." And if there's to be a "political/military interface between NATO and the U.N." and NATO forces are used to carry out U.N. resolutions, he added, then NATO should help craft the resolutions to ensure "clear articulation of the military risks."

There's one canard about Shalikashvili, namely that he disagrees with Powell's desire to keep American forces out of the former Yugoslavia. True, Shalikashvili would be more a member of the Clinton team than was Powell, regarded by many Clintonites as a Bush holdover. "Psychologically it makes a difference" to have your own chairman, says an administration official. But Shalikashvili's comments on Bosnia sound like Powell's. Having commanded U.S. troops in northern Iraq to aid the Kurds, the general was asked on CNN in January if he'd do the same in Bosnia. "That is a different matter," he said. "The issue of peacemaking in that case is very much dependent on having a well-thought-out, achievable political objective for which ground forces could be used in order to achieve that objective. That sort of well-thought-out, achievable political objective does not exist today." What about air strikes on Serbian artillery near Sarajevo? "Those sorts of things are ... difficult to do," he told Reuters, "and I hope that we will use military force to strengthen the political process as opposed to trying to find a military solution."

Despite Aspin's lobbying, Shalikashvili was not a shoo-in. On his stopover in Hawaii after the Tokyo summit, Clinton played golf with Admiral Charles R. Larson, the commander in chief of the U.S. Pacific Command. The outing was set up so the president could take a look at Larson. The admiral was a finalist, as was Hoar, the bane of gay activists. The Human Rights Campaign Fund picketed the White House on August 11, alleging Hoar had conducted witch-hunts after gays at Parris Island.

The protest was irrelevant. The day before, Clinton had met for ninety minutes with Shalikashvili, then hosted a dinner for the top sixteen military commanders, including the general. Gergen had rushed to the reception prior to the dinner just to meet Shalikashvili, having heard he was the front-runner. Following the dinner, Clinton met with aides. Shalikashvili's judgment and flexibility had never been in doubt. The worry, as a Clinton aide put it, was over "his public presentation." The session with Clinton and the dinner ended those worries—those, that is, that hadn't already been erased by watching Aspin's film. •

An immigration debate guide.

BORDER-LINES

By Daniel Choi

The next major post-cold war debate seems to be forming around the issue of immigration, and already the post-ideological ironies are piling up. Here follows a quick guide to the new political map: who stands where, and why.

Left-wing restrictionists. The former left is worried that the flood of Third World immigrants could put a wrinkle in the white-have, black-have-not divide and complicate ideological certitude. "The increasing influx of immigrants exacerbated our crisis," writes Wanda Coleman for *The Nation.* "Their presence pushed blacks out of the marketplace altogether." Coleman also fears that "with increasing numbers of Asians and Latinos in the L.A. mix, black demands for social and political parity will become less and less relevant to the political establishment."

Left-wing anti-restrictionists. Others on the left are clinging to the old civil rights paradigm and debunking everything else as false consciousness. A recent article by Mike Davis in *The New Left Review* laments the "erosion of the old Black-Mexican civil rights alliance established in the 1940s" and blasts fellow left-wingers—like Coleman—for helping to erode it. Davis believes the "concept of a ruthless job-market war between Black and brown" is an exaggeration that diverts attention from continuing anti-black discrimination in job-rich suburbs and the "superexploitation" of Latino aliens who lack the rights of U.S. citizens. The problem is not immigration but "the fiscal constraints on public spending imposed by conservative, suburban voters." Part of the answer, according to Jamin Raskin of *The Nation,* is to give legal and illegal aliens the right to vote.

Left-wing fence-sitters. The rest of the left is caught in the incoherent middle. Not quite bold enough to defend American immigration policy, they blast liberal politicians who pander to anti-immigration sentiments but offer few viable solutions. After Bill Clinton and Edward Kennedy called for on-the-spot asylum hearings in July, *The Progressive* ran an editorial attacking them for taking the United States "a few steps closer to a police state." Its solutions didn't go beyond the utopic, though. "There is one thing Clinton could do: he could try to ease the economic deprivations and political persecutions the United States has fostered around the globe, which themselves have propelled much of the immigration to this country." The editors of *The Nation* take the same tack. Though Guy Trebay of *The Village Voice* has written that the left is joining the right in scapegoating immigrants, he too has

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no answers. "I'm not sure I have a position on immigration per se," he says. "I'm not an expert on immigration."

Liberal restrictionists. Liberals are just beginning to grapple with the growing contradictions between a liberal immigration policy and other liberal concerns. Jack Miles concludes in an article in *The Atlantic* last fall that liberals ought to reassess their sentimental attachment to Ellis Island, especially if immigration lies behind the L.A. riots, depressed wages, black unemployment and strained welfare programs. More than anyone else, Miles is aware of the contradictions on all sides. "Between cultural conservatism and economic conservatism there is a certain tension on this question; but, as noted above, the situation is equally messy for liberals."

Liberal abstainers. Liberals near the center don't want to dirty their hands with either side of the debate. Instead, they leave it up to others to resolve the question. Robert Reich writes in a 1990 book review in *The Washington Monthly* that "economics is no help at all in telling us what we should do, or why." Arthur Schlesinger Jr. writes bravely in *The Disuniting of America*: "No one wants to be a Know-Nothing.... Yet uncontrolled immigration is an impossibility; so the criteria of control are questions the American democracy must confront." Robert Kuttner, co-editor of *The American Prospect*, says that immigration is "not something that's been a high-priority subject" for his journal. Why? He says he's "more on the tolerant, open end of the spectrum" but also "embarrassed" that staunch conservatives are taking the same position. "But how did we feel when we allied with Stalin against Hitler?" shrugs Kuttner. "Sometimes we have strange bedfellows."

Liberal anti-restrictionists. Hard-core liberals, of course, continue to see today's immigrants in the same sentimental glow as yesterday's huddled masses. "Different as they may be from my parents' generation," writes Mario Cuomo in a recent *USA Today* op-ed piece, "today's new Americans still bring with them the same old-fashioned family values: discipline, a sense of responsibility, an eagerness to work—to achieve, healthy, stimulating ambition, the willingness to sacrifice for the next generation and a faith in something larger than themselves." Others merely invoke fate. "It's unrealistic to pretend that illegal immigration from China, or anywhere else, can be completely halted," write the editors of *The New York Times*. "Economic incentives at both ends of the traffic are just too powerful." The editors of *The Washington Post*, meanwhile, hope Clinton's proposals to toughen up on asylum abuses will co-opt some xenophobic steam. "These steps are welcome for recognizing a substantial problem and because a failure to act would have left the field to those who favor more repressive measures."

Neoconservative reformers. Some neocons, especially Ben Wattenberg and Karl Zinsmeister of the American Enterprise Institute, want to move from the present system based on family-reunification to a "designer immigration" that admits a greater proportion of skilled and educated immigrants. This way, they argue, you get the best of both worlds: skilled labor and more taxpayers, with no net drain on social spending budgets.

Conservative anti-restrictionists. There's a mixed bag here, consisting of traditional conservatives, free-market libertarians and neocons. A few years ago Mitchell Daniels, former president of the conservative Hudson Institute, wrote an article in a Heritage Foundation publication urging fellow conservatives to "unite behind a policy of open-hearted embrace of expanded immigration and then sell it to an ill-informed, skeptical nation." His reasoning? "The xenophobia to which people of all philosophies are tempted is ultimately more dangerous to conservatives than to liberals.... It contradicts the modern conservative mentality of optimism and fearlessness about the future."

The Wall Street Journal also has no love for the America First policy propounded by people like Patrick Buchanan. In an editorial last fall, it upbraided restrictionist Republicans for playing politics with immigration: "If Republicans are serious about a 2,000-mile Berlin Wall on the American border, they should stop complaining about frivolous spending proposals from Democrats. If they're not serious, as we assume, it's a gratuitous piece of nativist nonsense." *The Economist* also ran a recent editorial urging America to keep its immigration policy liberal.

Conservative restrictionists. Others on the right don't think they can afford to wait for the "real fight" over the question of assimilation to happen. Columnist George Will thinks liberal thinking is already starting to wreak its worst effects on America's newcomers. "Today immigrants are received into a welfare culture that encourages an entitlement mentality," he argues. Will also fears that multiculturalism will introduce new immigrants to "a civic life built around group rights." Lawrence Auster, a *National Review* contributor and author of a restrictionist pamphlet "The Path to National Suicide," blasts neocons—especially Francis Fukuyama, Nathan Glazer and Irving Kristol—who don't see the symbiotic link between multiculturalism and immigration. And finally there is Peter Brimelow, an editor at *Forbes* and contributor to *National Review*. A British immigrant, he's against immigration for all the above reasons, and more.

Fringe-group exceptionalists. Groups at the extreme left and right are lobbying to make America a haven from various oppressions. A few feminists are pushing for asylum for women who suffer the abuses of patriarchy abroad. Gay rights groups are calling for the expansion of asylum to include gays who are persecuted elsewhere. (Last month a Brazilian man became the first person to be granted asylum on these grounds.) And finally, there's the right-wing *American Spectator*, which ran an article this summer calling for immigration preferences for Egypt's Copts, a Christian minority who fall prey to religious persecution. The piece, by Edward Norden, carries the sub-headline: "As Egypt crumbles under fundamentalist pressure, where else can the Copts go?" Indeed. •

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The case of Ivan Demjanjuk.

SANHEDRIN II

By Alex Kozinski

"He who is kind to the cruel is cruel to the kind." —Midrash

It is a brilliant opinion: powerful in its understatement, painfully thorough yet written in words a lay reader can easily understand. As it is reviewed and analyzed, the Israeli Supreme Court's decision in the *Demjanjuk* case will surely become a model of judicial craftsmanship, a luminous example of how a court confronting a difficult and painful subject ought to comport itself. Jews can take pride that Judaism's age-old commitment to the rule of law did not waver.

But is it right? That's a tougher question. Evaluated by American legal principles, the opinion is hard to defend; our own Supreme Court—even in the heyday of Warren, Brennan and Marshall—likely would have reached a different result. The Israeli Supreme Court, however, is not just another common law court. It stands heir to a much older tradition, that of the Sanhedrin, the body of sages who served as the supreme tribunal of the Jews in ancient times. In deciding cases, the Sanhedrin had to reconcile two cross-currents in Jewish law: on the one hand, a surpassing reverence for human life; on the other, the ferocious cruelty of the biblical codes that prescribed the death penalty for a host of offenses—including even being a "rebellious son." In resolving this tension, the Sanhedrin developed rules and practices that were remarkably favorable to the accused. All inferences consistent with innocence were to be indulged; the accused was given the benefit of *every* doubt, reasonable or not. As a consequence, the Talmud tells us, a Sanhedrin that upheld an execution in seven years or even in *seventy* years was scorned as a bloody court. It is to this tradition that Ivan Demjanjuk owes his life and freedom.

The Israeli Supreme Court's decision to free Demjanjuk rests on two key rulings. The first concerns the sufficiency of the evidence that Demjanjuk was Ivan the Terrible—the operator of the Treblinka gas chamber where thousands, perhaps hundreds of thousands, of Jewish men, women and children perished. This, the court held, was not proved beyond a reasonable doubt. Second, the court decided not to pursue the lesser charges that Demjanjuk served as a guard at the extermination camp at Sobibor and the concentration camps at Flossenbuerg and Regensbuerg—charges the court found were proved beyond a reasonable doubt, indeed beyond all doubt. An American court would probably have ruled otherwise on both issues.

The Israeli Supreme Court's summary of the evidence discloses that, despite the passage of almost fifty years, the attorney general of Israel was able to construct a remarkably powerful case against Demjanjuk. No fewer than thirteen witnesses picked him out from among contemporary photographs of guards dressed in Nazi uniforms. Five witnesses identified him in court as Ivan the Terrible and remained unshaken despite extensive cross-examination. Nor were these people who saw Ivan fleetingly or from a distance:

> The identification evidence of the survivors Rosenberg, Bourkas, Epstein and Reichman were the statements of persons who claim that they worked near the appellant, saw him for days, weeks and months from a distance of a few meters and lived under fear of his deeds.... Reichman was a witness to the abuse of the appellant when he drilled with a drill through the body of the prisoner Finkelstein. Everyone gave detailed descriptions, far in excess of the facial identification alone, which provided an objective and logical basis for the weight of the identification.

Reichman backed up his in-court description with excerpts from his Treblinka diary.

Demjanjuk was identified as Ivan the Terrible by six others who did not appear in court, having died before the trial. The most important of these was Turovsky, who spontaneously plucked Demjanjuk's photograph from an album when no one had any suspicion that he might be Ivan the Terrible; his identification was "immediate from the first look and with complete confidence." Goldfarb was equally certain, and his identification was also spontaneous. Significantly, Goldfarb's identification was inconsistent with what his questioner knew, neutralizing any risk that the prosecution might have influenced Goldfarb's choice. Lindwasser "responded when he was shown eight photographs by pointing immediately to the photograph of the appellant and saying: 'This is Ivan here. I recognize him with complete certainty.'" Charny and Bourkas had similar reactions, shouting, "That's Ivan," when they first saw Demjanjuk's picture.

More tentative—but nonetheless consistent—was the testimony of S.S. guard Otto Horn. According to Tom Teicholz's *The Trial of Ivan the Terrible*, Horn "spoke dispassionately of the events at Treblinka as though he were a bank clerk talking about a bad check." "'This is Ivan probably,' Horn said, pointing to Demjanjuk's 1951 visa photo; when shown [Demjanjuk's] Trawniki photo, he said, 'As far as I can recall, Ivan looked like this.'"

The most interesting piece of evidence, particularly in light of the court's ultimate conclusion, came from Dudek, who gave a sworn statement to Polish investigators in 1986. According to Teicholz:

> Dudek explained that he lived in the nearby village of Wolga Okralnik where he ran a tavern Ivan visited regularly. He ... said the gas-chamber operator's name was known to be Ivan Marshenko. But there was an interesting addendum. The police then placed eight pictures of Ukrainian

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guards before him. He pointed to Demjanjuk's Trawniki photo and positively identified it as Ivan Marshenko, the one who was known as Ivan the Terrible.

Obviously we are dealing here with statements drawn from memories decades old. But the number of them, their certainty, spontaneity and sources—persons who had ample opportunity to observe Ivan the Terrible at close quarters—point strongly to the conclusion that Demjanjuk had indeed operated the gas chamber at Treblinka.

What then troubled the court? Long after the trial, documents were obtained from the KGB's files that contained statements of other Treblinka guards referring to the operator of the gas chamber as Marchenko; some gave a physical description that did not fit Demjanjuk; one noted that this person was known as Ivan the Terrible. The Israeli Supreme Court recognized that these documents were far less reliable than the proof the attorney general offered. The statements were taken by the KGB, never famous for adhering to Western notions of procedural regularity; the declarants were not subject to cross-examination or impeachment; there was no way of knowing how these statements were produced or whether they were authentic, making it hard "to rule out theoretical possibilities of tampering with the evidence in full or in part." It is highly doubtful an American court would have admitted the statements had they been presented at trial, much less on appeal.

Even if the statements were admitted and believed, the Israeli Supreme Court recognized that nothing in them foreclosed the possibility of successive operators of the gas chamber named Ivan—one Demjanjuk, the other Marchenko. Nor was it out of the question that Demjanjuk, for whatever reason, called himself Marchenko at the time. The court noted that the statement of Dudek, the tavern-keeper, supports this hypothesis, as does the fact that Demjanjuk falsely listed his mother's maiden name as Marchenko in his U.S. visa application. The court nevertheless felt it could not dismiss the KGB statements and could not come up with a satisfactory explanation for their existence. These statements, the court concluded, established a reasonable doubt about whether Demjanjuk was Ivan the Terrible.

In reaching this conclusion, the court adopted a standard much more rigorous than that normally employed in the United States. An appellate court here would look at the evidence in the light most favorable to the prosecution and ask itself whether a rational jury *could* have convicted; it would reverse only if the evidence absolutely required acquittal. This standard recognizes that not all the evidence presented in a criminal trial will fit into a neat, consistent pattern. In figuring out what happened, juries often discard pieces of the puzzle that don't match up, such as testimony from the defendant's mother that they were home together watching T.V. on the night of the crime. Such evidence certainly *can* create a reasonable doubt, but it can also be rejected as too improbable.

What the Israeli Supreme Court looked for here—and did not find—was "an additional layer of evidence," something to explain away or refute the statements from the KGB files. Because the statements came into the record with none of the tethers that normally tie proof to the real world—no opportunity to cross-examine, no proof of authenticity, nothing at all that would make them reliable enough to be admitted under ordinary circumstances—it became virtually impossible for the prosecution to deal with them. Their very unreliability made them immune to attack.

Subtly woven into the common law woof of the Israeli Court's opinion are the warp threads of talmudic law. The willingness to admit any evidence—even that of highly doubtful reliability—so long as it helps the accused, while demanding that the prosecution come up with a concrete, rational explanation to dissipate the doubt so created, is far more consistent with the processes of the Sanhedrin than those of the common law.

The Israeli Court's decision to exonerate Demjanjuk of the Ivan the Terrible charge may also have been based on practical considerations. Israel does not have a death penalty for crimes other than those relating to the Holocaust or treason, and the only person executed in the nation's history was Adolf Eichmann more than thirty years ago. Even then, there was opposition to the execution. The court might have thought it wise to avoid the upheaval that would surround another death sentence.

More puzzling is the court's decision to let Demjanjuk walk away a free man. For, while the opinion finds reasonable doubt that Demjanjuk was Ivan the Terrible, it leaves no doubt at all that he was a guard in a Nazi death camp and, as such, played an essential role in snuffing out hundreds of thousands of Jewish lives.

The story in the court's opinion is a fascinating one, not well known even to those familiar with the Holocaust. As the Germans marched east through Poland, Hungary, Romania and the Soviet Union, they found themselves in control of the large Jewish populations in those areas. At first they used *Einsatzgruppen* S.S. units, whose business it was to round up Jews, shoot them and bury them in mass graves. Impatient with the piecemeal nature of this process, the Germans deployed Operation Reinhard. "Operation Reinhard was designed for one purpose and one purpose only," the Supreme Court noted, "namely in order to make the physical destruction quicker and more efficient" by rounding up Jews for extermination in Treblinka, Sobibor and Lodz. Because the Germans could spare only a few people for this task, they recruited large numbers of helpers from among the Soviet prisoners of war, a small fraction of whom volunteered to serve in the S.S. as *Wachmanner* (prison guards).

As related by Yakob Engelhardt, himself a *Wachmann*, the Russian prisoners of war were not forced to serve in the S.S. unit—they all volunteered and were sent to a camp at Trawniki to be trained. As part of this training, Engelhardt recounted, mass executions were carried out to teach the *Wachmanner* "to execute and extermi-

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nate members of the Jewish race." According to another *Wachmann*, Dimitri Borodin, "[T]he procedures in the camp were such that not one of the *Wachmanner* serving there could have avoided taking part."

The Israeli Supreme Court dryly summed up the function of the *Wachmanner*:

> The Trawniki unit was set up in order to aid the objective of murder, and nothing else. The Trawniki was an organization whose purpose was to carry out actions of the Nazi administration ... that were directed against persecuted persons.... Its assignment was monolithic, namely aiding the personnel of the 'S.S.' of the rank to which they had been assigned (some from the Extermination Unit T-4) to round up the Jews from the cities, towns and villages and to transport them to their death, to aid in carrying out the murder and to cover up, after the event, all traces of the murder. This was, therefore, a unit for aiding murder, in the plain meaning of the expression.

Whatever doubts the court might have had about whether Demjanjuk was Ivan the Terrible, it had none about the fact that he volunteered and served as a Nazi *Wachmann* in the Trawniki unit. The evidence on this score included a certificate from Trawniki bearing Demjanjuk's picture and his exact personal information. There were also German documents that referred to *Wachmann* Demjanjuk and mentioned his date and place of birth. Statements of another *Wachmann* by the name of Denilchenko, both in 1949 and again in 1979, identified Demjanjuk as a *Wachmann* who served with him at Sobibor. Demjanjuk's Trawniki certificate also reflects that he served at Sobibor, as do the German orders of March 1943 posting the Trawniki unit. The court considered Demjanjuk's contention that the certificates—including those bearing his photograph—were forgeries; in light of the expert testimony and other corroborating evidence, it concluded that the likelihood of this was "reduced to zero."

The court was troubled, however, that the trial had dealt primarily with the Ivan the Terrible charge, while the *Wachmann* charge was somewhat of an afterthought. It recognized that Demjanjuk "brought witnesses with whose help he tried to refute any connection between himself and the service in the Trawniki unit," but concluded that Demjanjuk did not have a "reasonable opportunity of defending himself properly, in the full meaning of the word." To give Demjanjuk such an opportunity "would mean today, *de facto*, starting the proceedings again, i.e., further continuation of the proceedings beyond the proper measure." Finding this unreasonable, the court simply terminated the case and let Demjanjuk go.

The court's reasoning on this point is not clear. A defendant is surely prejudiced when he is prosecuted for a crime committed decades earlier; one might well understand if the court had said Demjanjuk shouldn't have been tried at all because human memory couldn't be trusted to go back that far. But the court clearly considered the testimony of the eyewitnesses reliable, and it's hard to believe that a few years beyond the decades that had already passed would make the difference. The court might also have precluded a retrial if the prosecution had caused the delay. But it noted that "the trial was drawn out almost entirely because of numerous applications for postponements by the defense counsel." The court does refer to precedents that caution against a retrial where there is "a shadow of suspicion" that the accused's right to defend himself has been impaired by the passage of time, but it doesn't explain in what conceivable way Demjanjuk was prejudiced. Once again, it's highly unlikely a court in this country would have rejected the verdict on the *Wachmann* charge or, having done so, precluded a retrial simply because of the passage of time, particularly where the defendant himself caused much of the delay.

Why then did the Israeli Supreme Court set Demjanjuk free? It may well have felt that the eyes of the world were on it and on Israel, and that to retry Demjanjuk on the lesser charge would be perceived as petty and vindictive. The Court might also have felt there was no reason to single out Demjanjuk from among the many thousands who served as concentration camp guards. Then again, it might have thought that continuing to stir up memories of the Holocaust was not entirely a kindness to the survivors in the waning years of their lives.

But it is also possible that the court (consciously or not) hewed to the great tradition of the Sanhedrin, a body whose concern with fairness to one accused of crime—even the most heinous of crimes—is unsurpassed in human history. As Houston University Law School scholars Irene and Yale Rosenberg explain in a 1991 *Michigan Law Review* article, "That we sometimes free guilty people is not significant. What is critical is preserving the character of the court." Justice, the Rosenbergs tell us, citing the brilliant sixteenth-century rabbi known as the MaHaRaL of Prague,

> is of such transcending importance that we demand perfection in its pursuit. Perfection, however, can come only from God. Because no human court can do what God does, the Jewish court does not claim that it can get to the bottom of the matter and discern factual guilt. Rather, Jewish law embodies a more limited conception of the function of the courts, which is not to determine the absolute truth, but simply to lift the cloud of guilt from the accused.... [T]he court's main function is to find the defendant innocent.

Why the emphasis on innocence from a judicial system that serves the severe God of the Old Testament? It is because guilt, the Torah teaches, is God's prerogative. "The underlying assumption is that ultimately God will deal appropriately with all who are guilty." A human court therefore should "stick to its business of finding merit in the defendant's cause." That the *Demjanjuk* court saw itself as the steward of this venerable tradition is revealed most clearly in the last line of its opinion: "The matter is closed—but not complete," the court said. "The complete truth is not the prerogative of the human judge."

ALEX KOZINSKI, a federal judge in California, is the son of Holocaust survivors.

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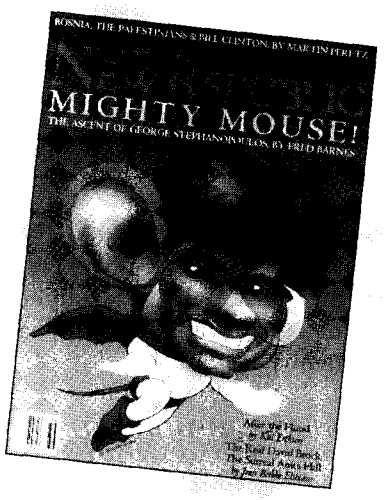

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VOICE OF AMERICA

By Robert Wright

Surely you've heard of the Internet. Almost surely you hadn't heard of it a year ago. In that span it has gone from unheralded region of cyberspace (another word that suddenly needs no introduction) to topical and stylish locale, the kind of place that shows up in a *New Yorker* cartoon. (A canine hacker says, "On the Internet, nobody knows you're a dog.") In June, July and the first half of August, major American newspapers carried 173 stories mentioning the Internet, compared with twenty-two a year earlier—this according to the Nexis on-line database, another part of cyberspace.

You've probably also heard that the Internet is a vast and diffuse electronic web, a "network of networks" that spans the planet, encompassing a rapidly growing number of computers. And you may have heard that the Internet will deeply change politics, culture and the fabric of society—if not, indeed, the very metaphysics of human existence. Then again, you may have heard that the Internet is just another passing craze.

In any event, you've probably never actually *been* on the Internet. Though it's suddenly becoming affordable (about $20 a month through no-frills access providers), it remains a realm mainly of hackers, scientists and assorted others with some institutional link to it.

Only a few weeks ago I had never been on the Internet either. But then this magazine sent me on a mission to cyberspace, where I logged a couple of dozen hours on the Net (as we say there). Now I'm back. There is much to report, bearing on all the Big Questions about the Net's ultimate significance—political, cultural, metaphysical, etc.

But first things first. My overwhelming initial impression of the Net was that it's the promised land for amateur anthropologists. Never has there been a way to observe people and groups so accurately and unobtrusively. As a place to eavesdrop, cyberspace is without peer in all of human history.

For example, most of us know that Mensa is an organization of people who place great and prominent emphasis on their intelligence. Most of us have suspected that this emphasis might make warming up to some Mensa members a bigger-than-average challenge. But how much actual evidence for that suspicion do we have? Would you like to find some? Step into cyberspace.

Here you can overhear a Mensa member arguing with several people over whether he should put his I.Q. on his résumé. "Clarification on my original query/posting: The Mensa I.Q. test I took (and did so well on, top 1 percent on BOTH tests they gave), was only four years ago, in 1989. I mention this now because somebody complained that I shouldn't put OLD things like SAT scores and Mensa I.Q. tests on my resume, they want something more recent, but in this case 90 percent of my computer programming is OLDER than my Mensa I.Q. test so the remark about I.Q. test being 'old' and hence not belonging on resume for that reason, is incorrect."

A point well taken. Nonetheless, some of those arguing for an I.Q.-less résumé persisted. "Not to bust any bubbles," one replied, "but 'Mensa' I.Q. is not at all rare in the industry. If I saw your resume with Mensa membership or I.Q. score, it would probably get placed immediately in the 'self-styled genius' or 'legend in own mind' round file."

Ouch. The Net is a mostly peaceful place, but here, as on other frontiers, things can suddenly turn nasty; cyberspace is not for the weak or the timid. Unless, of course, you just sneak around and listen without revealing your presence, thus becoming what some internauts pejoratively call a "lurker." This was my approach.

The above exchange may not look too riveting here on the printed page, fixed in cold type. But when you watch it in cyberspace—well, actually, even there it's fixed in cold type. What's more, it isn't even a live exchange; the two strands of a dialogue may be separated by hours or days. Still, there is something about seeing these words on your terminal, knowing that there's flesh and blood behind them, real joy being given or offense being taken, that gives you the thrilling, guilty feeling of catching a glimpse through a window at night.

Strictly speaking, this isn't eavesdropping. People who "post" on the Net's many different bulletin boards—its "newsgroups"—know that their words can be seen from just about any chunk of inhabited turf on this planet. But the narrow focus of each group, the physical remoteness of observers and the anonymity of those posters who choose it—all these combine to infuse groups with a sense of intimacy, fostering candor

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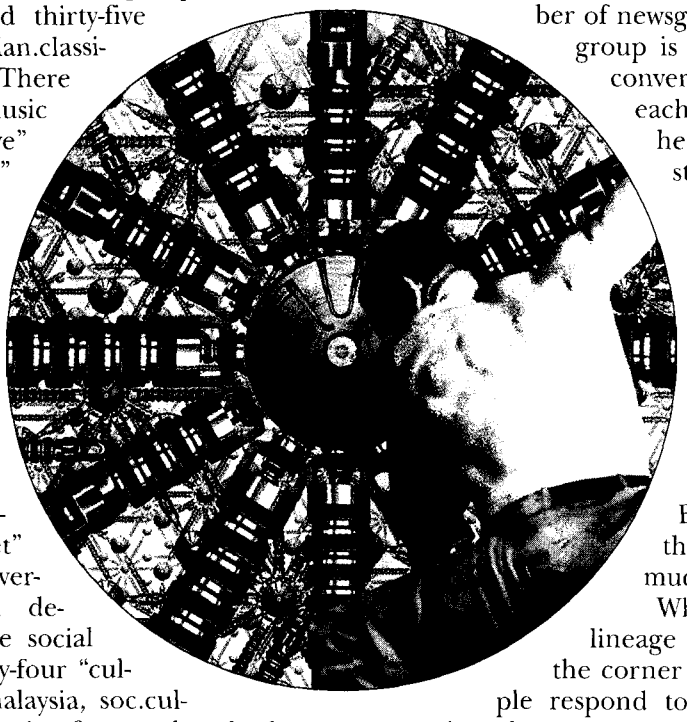
of a sort seldom seen in public spaces. If you're standing in line at the post office, there is little chance that the man in front of you will turn around and say, "My own experience is that the feet I don't find desirable I often find *revolting*. It seems, in fact, that my revulsion from 'bad' feet is as peculiarly and abnormally intense as my attraction to 'good' feet." But if you visit the newsgroup called alt.sex.fetish.feet, you can hear precisely that.

Alt.sex.fetish.feet may sound like a parody of a narrow interest group, and it's true that I didn't choose it randomly. Still, interests do regularly get pretty narrow on the Net. There are, depending on how you count, between 2,500 and 6,000 newsgroups worldwide. (Many access providers offer closer to 2,000, after filtering out some non-English-language groups, hyperfrivolous groups and so on.) In the recreation region of the Net, there are thirteen aviation groups (rec.aviation.simulators) and thirty-five music groups (rec.music.indian.classical, rec.music.indian.misc). There are another fourteen music groups in the "alternative" region (alt.music.enya); "alt" connotes both the frequently offbeat nature of the groups (what's enya?) and the fact that here groups can be started without the formal approval needed in most other regions. In the science region, there are more than fifty groups (sci.med.aids, sci.astro.hubble), not counting the biology groups in the "bionet" region (including the ever-popular bionet.drosophila, devoted to fruit flies). In the social issues region, there are sixty-four "culture" groups (soc.culture.malaysia, soc.culture.greek). The computer region features hundreds of ineffably narrow groups; nine begin with comp.os.ms-windows. There are dozens of fan clubs, of various brows (alt.fan.wodehouse, alt.fan.letterman, alt.fan.amy-fisher).



All of this shows how much the government can accomplish when it doesn't put its mind to it. The Internet began as a link among Pentagon-funded researchers; newsgroups weren't on the agenda. But as more and more people at colleges and other research centers were hooking up to the network, it was becoming enmeshed with an obscure web of newsgroups called USENET. The two were, and are, technically distinct; the Internet is an infrastructure, and USENET newsgroups are one of many services available on it. In fact, a few Internet purists will give you a stern lecture if you call USENET *part* of the Internet, since the newsgroups are available via other conduits as well. But even purists may call USENET part of the *Net*, a more amorphous term. And, anyway, non-purists (i.e., almost everyone) consider the newsgroups a de facto dimension of the Internet. One reason is the intricate symbiosis between the two. USENET reached its mammoth scope largely by piggybacking on the Internet, drawing vibrance from Internet users and exploiting the network's robust infrastructure. Meanwhile, USENET has become, for many lay users, the Internet's main attraction—the thing that draws them into the Internet, after which they may explore other dimensions.

These dimensions are many and diverse. Internet Relay Chat offers real-time written conversation—it makes your monitor look like an unfolding screenplay, with you speaking one of the several parts. File Transfer Protocol lets you enter computerized archives all over the world and download zillions of files. I could go on. But the USENET newsgroups are (arguably) the most socially momentous of the Net's dimension, and they're where I spent my time.

Discourse is even narrower than the number of newsgroups suggests. Within each group is a changing mix of distinct conversational lineages ("threads"), each labeled with the subject heading of the posting that started it. As of late August in the soc.culture.celtic group, you could choose to associate with one or more of half a dozen crowds, including the {How many Celtic civilizations were there?} crowd, the {Scottish Stereotypes} crowd, the {Celtic Gods} crowd and the {Looking for name of Dentist in Belfast N.I.} crowd. Actually, that last heading never drew much of a crowd.

When you read a posting, its lineage appears as a family tree in the corner of the screen. If three people respond to the {Scottish Stereotypes} posting, those responses are its "offspring"—siblings of one another—and each may then have offspring of its own. You can navigate these lineages, go from one posting to its parent, its offspring, its younger or older sibling or straight to the root or the outmost leaf.

It would of course be easy to trivialize all this, to pick a few of the more eccentric newsgroups and then caricature them by selectively quoting from their various subject headings. So let's do a little of that. talk.religion.newage {Ancient Space People In India}. alt.war {Custer—what happened?}. alt.alien.visitors {Do some abductees never come back?}. rec.folk.dancing {Unusual Balkan rhythms}. alt.politics.libertarian {A Darwinian Reason for Opposing Seat Belt Laws}. rec.equestrian {Dry, Dusty, Barn???}. alt.history.what-if {WWI: Lusitania not sunk?}. alt.paranormal {Noise in New Mexico}, {Cornbread, come to life}. The cornbread item, I finally decided, was a parody posted by a gate crasher.

Now for some perspective. We all have interests this narrow, even if in some cases they're more consonant

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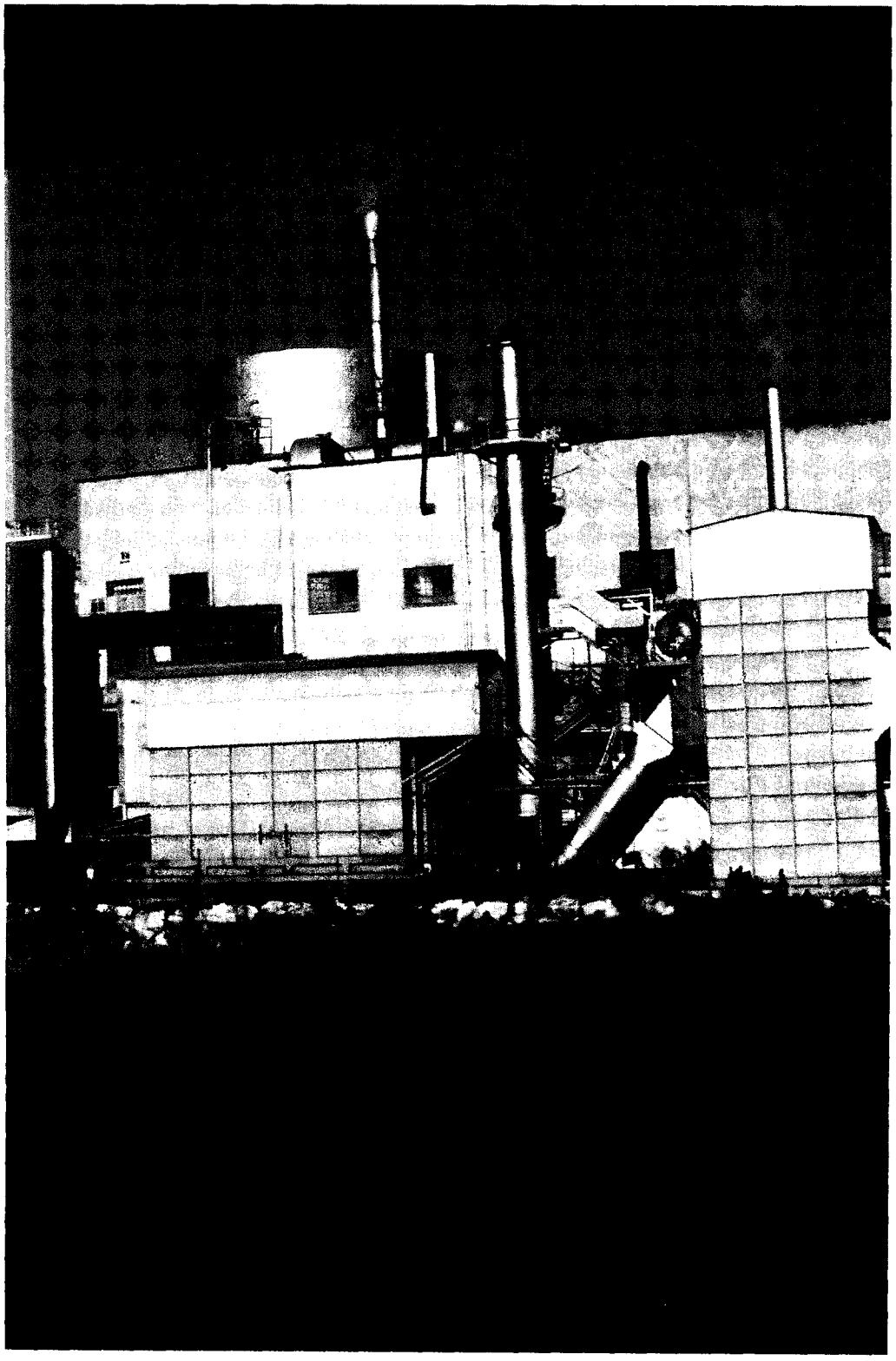
Don't you wish we could just do this to acid rain.



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with mainstream twentieth-century metaphysics. The beauty of the Net is that it is a place where just about any interest, from fringe to mainstream, can be indulged. It is also a place where any question—Where to vacation? Where to get brain surgery? What was the name of Jack Ruby's nightclub?—can be answered with amazing speed if deftly placed. (Go to alt.conspiracy.jfk for that last one.) And the more the Net grows, the truer all this is, which makes it grow more, and makes this truer, and so on. The number of groups is rising by hundreds per year. For a long time to come, more and more topics will have a large enough constituency to warrant a group; and once there's a constituency, all it takes is an enterprising person (or organization) with a personal computer to start the group. So far these seem to be in abundant supply. Meanwhile, as a further attraction, software companies are starting to make user-friendly Net interfaces—something there's a great need for; it took me about a day to get comfortable navigating the newsgroups.

All these trends point the same way: the present expansion of the Net's constituency—from hackers and scientists to regular people—will persist and may accelerate. You, too, will probably get sucked into the Net before long. That's why the texture of cyberspace is worth examining, and all the Big Questions about its import worth exploring. The Net is a microcosm of tomorrow's macrocosm.

The family trees for conversational "threads" differ not just within groups but among them. Some groups feature lots of complex trees, the sign of true communication. Others are featureless landscapes—posting after posting with no reply. Thus misc.activism.progressive gives the impression of a lot of one-handed clapping: {Cuba Supports Democracies & Liber'n}, etc. But this doesn't signify failure. Misc.activism.progressive is a one-way medium, like a magazine; the postings are press releases {ALTERNATIVE RADIO PRESENTS: Noam Chomsky (Part III)}. How much action they generate is hard to say, but some political organizations (especially environmentalists) do report great gains from using the Net as an inexpensive mobilizing tool.

Hence *Big Question #1:* Will the Net be democracy's salvation? Don't bet on it. There's been some leftish rejoicing about how newsgroups empower grassroots organizations, making politics more egalitarian. And the Net may indeed bring a counterweight to well-moneyed interests. But pro-lifers and various other conservative groups are grass roots too; and for that matter even corporate interests can make good use of cyberspace, once they discover it. The great looming peril is that as special interests of *all* stripes are empowered by information technology, gridlock will grow.

Hence *Big Question #2:* Will there be enough cross-ventilation to foster mutual understanding and compromise? There are faint signs of hope. In political groups with the most complex conversational trees, much of the dialogue is generated by interlopers who question local dogma. When I checked into alt.politics.perot and alt.politics.radical-left, the latter was markedly more complex, and the complexity came largely from enemies of the left. Sometimes you can even witness people being made painfully aware of facts at odds with their worldview. Still, worldviews are pretty stubborn things. Some of Rush Limbaugh's legions (on alt.fan.rush-limbaugh) seemed unphased by helpful reminders that Limbaugh, a champion of family values, is twice divorced. One Rushite resolved the seeming hypocrisy by analogy: "I am totally in favor of drivers using their turn signals, but I confess that there are times I forget to use them myself." (Whoops! Forgot to stay married. Dammit, that's *twice* I've done that!)

The landscapes of some groups are pretty predictable. Misc.entrepreneurs, full of busy people focused laserlike, has short threads—crisp answers to specific questions ({Business software recommendation?}), and not a lot of existential reflection. Unemployed people seem to have more time on their hands. A query in misc.jobs.misc ({Should a two-page resume be stapled?}) yields an eleven-leaf tree in short order.

Of course, after a few leafs, the original thread of a conversation is often lost. A posting on misc.consumers titled "HELP! Lunatic Apartment Neighbor" gets the reply, "I'd tell you to get a gun and learn how to use it, but the last time I heard the waiting period in California is two or three months." The thread then becomes a seminar on gun control.

Meanwhile, over on dc.talk.guns—for the Washington resident who doesn't hear enough about guns on the local news—gun talk mutates into a discourse on penology. One person suggests building more prisons to accommodate longer sentences. This draws the reply, "No bloody thanks. More hotels for useless parasites? Kill them. Painlessly. Mercilessly. Fast. Cheaply." The first guy, his manhood now in doubt, tries to recover. "Well, I'm not crazy about having to pay for keeping them around. I have, in fact, advanced the idea that prisoners should be classified within the system according to the severity of their crime. Let's say their prison is rated at 1500 beds. When prisoner number 1501 checks in, he/she is rated and placed on the list. Then the prisoner on the top of the list (most severe crime) is taken out back and shot. This keeps the prison population 'humane' without subjecting society at large to the predations of 'early release.'" One great thing about the Net is that when you hear something like this you don't have to say, "Um, that's a very, um, provocative idea. I'll have to give it some thought."

Hence *Big Question #3:* Will lots of creepy, nefarious groups use the Internet to organize? In general, there is less on the Net about exterminating parasites than you might fear. Much of alt.skinheads is devoted to distinguishing mainstream skinheads from swastika-sporting racists (referred to on alt.skinheads as "boneheads" and "tiny brained doo-doo heads"). Anyone who wants to

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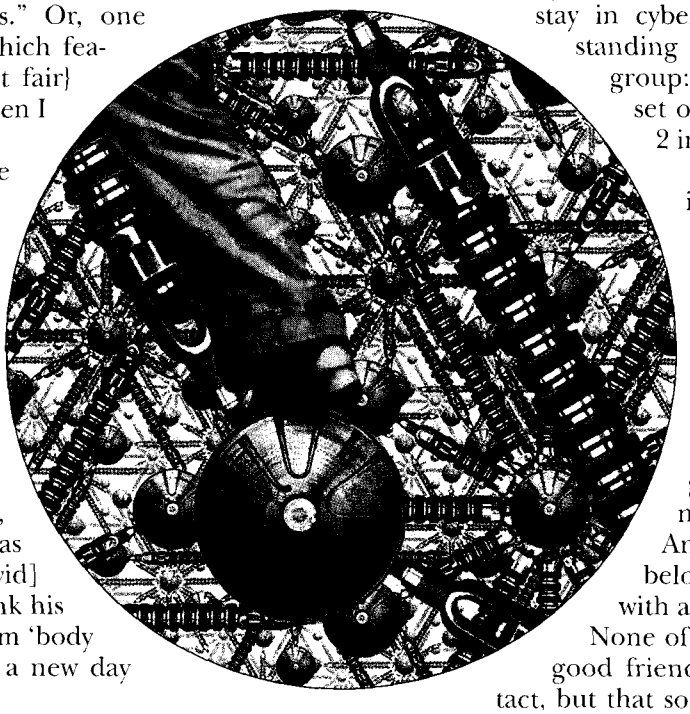
foment hate in a serious way is likely to opt for a low-profile bulletin board, not visible to millions of decent citizens. No doubt electronic hate groups are out there, but they're typically not on the Net. And when they are (as with alt.flame.faggots), many access providers, including mine, choose not to carry them.

The "flame" part of alt.flame.faggots doesn't mean what you might think. "Flame" is the cyberspace word for, roughly, "speak in very heated or hostile terms." Flaming is a much-discussed problem on the Net. In fact, as far as I could tell, it is more often discussed than actually witnessed. But you do sometimes see people debate with needless animosity, or reply with excessive force to perceived breaches of etiquette ("netiquette"). And they may rudely redirect those who don't seem to belong in a group. "Look, if it has NOTHING at all to do with ALT.HORROR.CTHULHU,LEAVE US OUT OF IT. Go whine on alt.bitterness." Or, one might add, on alt.whine, which features, for example, {it's not fair} and {it's not fair: not fair! when I was a lad . . . }.



There are places on the Net that seem immune to rudeness and hostility. Misc.kids is a densely populated place where parents swap serious advice and lighthearted tales about childrearing. When to wean? Where to get a truly spill-proof cup? What to call flatulence? "One of the alternatives that I liked, especially for a young kid, was 'air poof.'... But when [David] was just 3 (he's 6 now) I think his daycare's teenager taught him 'body explosion.'" Where to find a new day care provider?

The most assuredly earnest climates are in the therapeutic groups, such as alt.recovery, where A.A. members share support. Alt.suicide.holiday, billed as a discussion of why suicide rates grow during holidays, turns out to consist partly of people trying to help each other get undepressed. There is something truly affecting, not to mention dramatic, about watching a person who may be contemplating suicide get help from someone who knows the territory. "This is my survival list & I walk the edge often.... Walking randomly until either my mind shuts up or my feet hurt.... I make myself call a friend.... I look at my dog and try to figure out who will take care of him and treat him well and spoil him if I off myself (I save this for the worst times.... I can't bear to take him with me & I can't bear to leave him behind). A pet helps. I pick an object. Anything, a plant, a jar, a piece of string on the carpet, a cat hair on the couch & I study it. I try to imagine different uses for it. I try to become whatever it is. I try to connect and imagine that object's connection with everything else. If I can somehow feel that link/connection then I know I am not completely alone & that I am connected (however tenuously) to this world & that I sorta belong here even if it seems I don't fit in with whatever is happening."

This sort of communication is the essence of the Net. As fun as it is to sit and watch fringe groups sound frivolous, most newsgroup traffic is from serious people finding communication they need or, at least, really want. And the level of discourse, though uneven, is often very high. You can learn an incredible amount of stuff just from the sidelines, without even asking questions. But once you've spent much time on the Net as a lurker, you probably will speak up. You will have an obscure question you've always wondered about, or see a question you can easily answer, or just want to throw your two cents in. Toward the end of my stay in cyberspace, I posed this long-standing puzzle to the rec.sport.golf group: Why does the standard set of clubs no longer include a 2 iron?

The experience was amazingly lifelike. I felt apprehension about speaking in front of a strange group; relief and pride at not being ignored (a four-leaf tree within forty-eight hours, plus two private replies by electronic-mail, another Net service); and gratitude toward, even fondness for, those who answered. And I actually felt a sense of belonging—I had communed with a few nodes, and it felt good. None of these people has become a good friend or vital professional contact, but that sort of thing does happen all the time on the Net, as dialogue shifts from a newsgroup to an e-mail correspondence. (Also, I got—in addition to several obliquely relevant replies—a plausible answer, with which I won't bore you.)

This emotional permeability of cyberspace is the deepest source of its magnetic power. The gargantuan knowledge-base is a big draw, but what really keeps people coming back—believe it or not—is the warmth. The Net, like so many other artifacts, is an expression of human nature by the most efficient available technology; one of the deepest parts of human nature is the affiliative impulse.

Thus the answer to *Big Question #4*—Will the Net alter the very metaphysics of human existence?—is: not really. The attraction of cyberspace isn't so much that it radically transforms human interaction as that it leaves the feeling of interaction intact. The things it changes are the arbitrary constraints on interaction. Distance is not an impediment. Race doesn't matter. Being a big strapping male or a nubile female won't

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Smiley's people

The online world has its own clichés and truisms, none so haggard as the belief that reliable written communication is impossible without frequent use of emoticons, better known as the "smileys." Emoticons are nothing more than characters that look like a face when viewed sideways. The original smiley is :-), but there are innumerable variations, such as :-0 ;-) :-(8-) :-{) :-{)>, and each can signify anything from facial hair to a particular emotional state. Emoticons are the electronic equivalent of spin doctors: commonly inserted at the end of a sentence that is meant to be interpreted as sarcasm, or, in general, whenever the writer fears his or her prose may be about to jump the iron rails of literalism.

With the eerie uniformity of airport cultists, emoticon users all proffer the same rationale for the smiley tic: since the streams of ASCII characters flowing across the Internet (usually described as "cold," "mechanistic," etc.) cannot carry body language or tone, the missing cues must be supplied through punctuation. The tendency of writers to bungle their attempts at sarcasm, and of readers to bungle the detection of it, invariably leads (so the argument goes) to hurt feelings, which in turn leads to network "flame wars" in which people insult each other in extravagant terms that would never be used face-to-face. Irony, it seems, is like nitroglycerin: too tricky to be good for much, and so best left in the hands of fanatics or trained professionals.

Never addressed by such people is the question of how humans have managed to communicate with the written word for thousands of years without strewing crudely fashioned ideograms across their parchments. It is as if the written word were a cutting-edge technology without useful precedents. Some hackers actually go so far as to maintain, with a straight face (:-I), that words on a computer screen are different from words on paper—implying that writers of e-mail have nothing useful to learn from Dickens or Hemingway, and that time spent reading old books might be better spent coming up with new emoticons.

Other smiley partisans maintain that, since many messages are tossed off extemporaneously, the medium has more in common with talking than writing, hence the need for emoticons. This neatly sidesteps the awkward fact that what these people are engaged in is, in fact, nothing other than plain old writing and reading, and that, as always, they may have to invest some time and effort in the act if they don't want to mess it up.

Scott Fahlman, who is credited with inventing smileys, has been quoted by *The Boston Globe* as saying that "I had no idea that I was starting something that would soon pollute all the world's communication channels." The *Globe* does not record, however, whether he terminated this statement with a smiley. Jeremy Bornstein, a research scientist at Apple Computer's Advanced Technology Group, thinks that a silent minority of people on USENET (the distributed news system on the Internet) belong to the anti-smiley camp, but that "experienced users realize that it's futile to rail against popular custom." Thus, members of the anti-smiley underground constitute something of a secret subculture; they can find each other only through lengthy exchanges of smiley-free messages, growing more certain with each unadorned sentence that they have found a fellow traveler.

The irony is, Net culture was unusually literate. The pioneers of the Net were hackers, people who routinely spend twelve to sixteen hours a day editing text, and whose favorite leisure-time activity is inhaling fantasy and science fiction novels by the pallet load. These people are no strangers to words. Much has recently been made of the nascent revival of epistolary society that is supposedly growing up online. Such optimism is not entirely ill-founded, but innovations such as the smiley suggest that media-age writers may have a ways to go before they can compete with the average Civil War infantryman or Victorian diarist. The very ambiguity that, properly used, gives words much of their expressive power is viewed by many Net denizens as a glaring but ineradicable flaw in an otherwise promising system. Thus, in hacker argot, the emoticon is a "kludge," a hasty and inelegant patch on a problem that's too difficult to solve just now.

Nearly all academic computers are on the Internet, so access is open to anyone having an account on such a machine, which is to say, any student who bothers. The Internet is, therefore, still very much a college town and shares much the same ambience as Cambridge, Iowa City or Berkeley: a dysfunctional blend of liquored-up freshmen and polymorphously perverse deconstructionists. The politically correct atmosphere may help to explain the generally frosty stance toward humor exhibited on USENET, where people either use it badly—at the level of toilet stall graffiti—or categorically reject it; USENET is the kind of place where people can seriously (without smileys) discuss the proposition that humor is an intrinsically aggressive, nonconsensual act.

In such an atmosphere, the very ability of the smiley to destroy a joke must be comforting. The addition of a smiley can somehow turn even the sharpest bon mot into a clanking jape straight out of *Reader's Digest*; it is the written equivalent of the Vegas rimshot.

Some hope is to be found beyond USENET, in relatively literate conferences such as the WELL, where it costs money (albeit not much) to get in; the entry fee cuts down on the number of feckless grad students wanting to air their sexual peculiarities and leads to an atmosphere that is at once more diverse and more serious. On the WELL, I have actually seen smileys used in a way that made me laugh out loud, usually in an ironic sense that would confuse or irritate any dyed-in-the-wool smiley-slinger.

It would be comforting to think that the smiley will be eradicated from online culture, just as the genuine smiley face has, for the most part, been vacuumed from popular culture. I am not optimistic, though. Most people, I suspect, go on the Net because it's the only ticket to cyberspace. As today's ASCII-based hardware is replaced with broadband switched networks and telecomputers, many users may desert what they see as the limited capabilities of prose for the supposedly more expressive medium of video. If so, they may be in for a shock. As many a political candidate has discovered the hard way, the ability to emote on-camera is for most people no more natural than writing smiley-free prose.

NEAL STEPHENSON

Neal Stephenson is the author of *Snow Crash* (Bantam).

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affect the amount of deference you get.

This does lead to a freer, truly disembodied mingling of minds, and if someone out there can get a Ph.D. in semiotics by calling that a metaphysical watershed (as someone probably already has), more power to him. But the bigger story seems to be the surprising extent to which basic social dynamics remain unchanged. There's been much talk about the effect in cyberspace of genuine, impenetrable anonymity (which is available on the Net), of how it strips away our civil facade, frees the animal within. But almost no Net regulars use true anonymity to be purposefully abusive, and the ones who do would probably be spending their time making nuisance phone calls if the computer hadn't been invented. The frequent talk on the Net about "flaming" is partly a testament to the tender sensibilities of some internauts; given its darkness, cyberspace is a stunningly civil place. And the reason is that the human desire to be liked by our neighbors runs more than skin deep.

As for the sexually liberating effect of anonymity: it's true that there are places on the Net (and elsewhere in cyberspace) where inhibitions dissolve, genders get switched, fantasy roles played. But this is an infinitesimal drop in the bucket, irrelevant to what 99.9 percent of all internauts are doing. Even the people in alt.sex.fetish.feet aren't there to talk dirty. They're there for validation, to find company in which they're not strange. You can almost feel the reassurance they get from hearing each other talk about pretending to inspect the lowest shelf of a newsstand while in fact gazing at a woman's exquisite, sandaled feet. I seriously doubt that these people would mind revealing their identities to each other. They just want to shield them from people like me. (Good thinking.)

I posted a second query, this time on five newsgroups, ranging from rec.arts.startrek.tech to talk.religion.misc and covering some less cosmic groups in between. I asked what was important about the Net and how it had affected people's lives. The twenty or so (admittedly not representative) e-mail replies were almost relentlessly upbeat. "It has both allowed me to strengthen and articulate some of my views, and to change others." "Being an American born to a British mother and Iranian father, the British and Iranian culture newsgroups help me feel in touch with my heritage." "I left the Navy with some bad mobility problems.... My world shrank [but then] expanded beyond belief when I got on internet."

A number of people mentioned the Net's global reach. "On the Internet, you can interact with the whole world, [which is] repartitioned, not geographically, but by area of interest." Hence *Big Question #5*, then: Will the Net sap the will of the nation-state? Certainly one can hope. Maybe international interest groups will become weighty lobbying forces, fostering the regional or global coordination of national policies and in other ways subjecting national behavior to supranational will. Also, of course, it's harder to support a war when you've swapped childrearing tips with some of the people you'd be bombing. The eventual force of such effects depends on lots of things, notably the stubborn problem of automated translation. But among scientists and some other elites, English is already close to a global language.

The feature of the Net most lauded in my informal poll was, naturally, the ease of finding shared interests. "It's like there's a town full of fishermen or philatelists or antiquarians." Most of us wouldn't want to live in any of those three towns. But there are thousands more to choose from, and the number is growing fast. More to the point, how many Americans are wild about the towns they do live in? One of the most discussed trends at the end of this century is the collapse of community, the number of people who don't have neighbors or colleagues who share their interests or values. The Net is a natural answer. One Net user predicted that in twenty years "electronic interaction will be a significant part of our personal lives." Another (a "photographer/artist" who had been "thrilled to find others like me, not techies or geeks" on the Net) said, "I just hope it doesn't make us less likely to leave our homes and seek out others face to face!"

Hence *Big Question #6*: Will the Net hasten the demise of physical community? Probably. When you're talking to people on the Net, you can't be talking to people back on the planet. But what exactly this means will depend on how many people spend how much time in cyberspace (and on how this varies by, say, socioeconomic class). And this in turn depends on lots of other things. For example: although pure print will remain the ideal medium for many purposes, the Internet will likely evolve into a multimedia experience. There's already a weekly Net radio show, and video signals can be sent too. For that matter, the *ultimate* mode of life in cyberspace is virtual reality—a 3-D experience that looks, sounds, maybe even feels like physical reality. (Virtual reality was the context of the coining of "cyberspace" by William Gibson in the novel *Neuromancer*.) A cyberspace with real virtual reality could, decades from now, acquire truly irresistible power, and have unfathomable effects.

It's of course ironic that the Net, in addressing the problem of cultural fragmentation, may in some ways deepen it. But that does seem to be in the cards. Though cruising the Net widely is fun, many people seem to settle finally into their own niche of a few particular groups. These groups become—for hours at a time—their whole world, liberating yet confining. But, hey: it beats solitary confinement, a common condition these days, and one that ESPN, the Home Shopping Network and Court T.V. don't really alleviate.

Some Net users have boilerplate signatures, featuring a picture cleverly built out of keyboard characters and, often, an epigram. Of all the epigrams I saw in cyberspace, by far the most memorable was, "I post, therefore I am." •

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BOOKS & The Arts

Stanley Kauffmann on Films

Cast of Characters

Last week Ousmane Sembène, 70, who in thirty years of filmmaking has done seven films and whose hallmark is simplicity. This week Claude Chabrol, 63, who has done forty-six films in thirty-six years and whose hallmarks are complexity and guile.

Chabrol, because he often deals with murder, is frequently likened to Hitchcock. This is crude thinking, I'd say. In virtually every one of the best Hitchcock films, the viewer is conscious that pieces are being cleverly jigsawed for ultimate assembly in a completed puzzle, that the whole ingenious texture of the film is a preparation for the ending. In Chabrol, the texture of his best films never seems patently subservient to the payoff. Sometimes, in fact, as in *Violette Nozière* or *Story of Women*, the texture of the film as it progresses—the investigation of character—is more rewarding than the finish.

This is almost, but not quite, true of his latest, **Betty** (MK2). Chabrol adapted the screenplay from a novel by Georges Simenon. (Can you imagine Hitchcock filming a Simenon novel?) This means that, though there will be seaminess, the heavy emphasis will be on character—not mere characteristics tacked on to a serviceable dummy but ingrained ways of seeing and desiring and loathing.

At the start, Betty, a young attractive woman, walks down a dim Paris street and enters a café. From the street, we see her sit at a table near the window, profiled against another window on the far side of the room (the first of the masterly frames devised by Chabrol with his cinematographer, Bernard Zitzermann). We see her sloshing down whiskey in the company of a man she has just met. Half sodden, she then allows him to bundle her into a car and drive her to a café-restaurant he knows in Versailles. There she continues to slosh. When her companion tries to inject her with a drug, the proprietor, Mario, who knows him, hustles him off.

Betty sloshes on. A middle-aged woman, Laure, obviously familiar with this café, sits with her, trying to help. Betty keeps drinking, and when she finally collapses, Laure takes her to her hotel, a luxe place nearby, and installs her in a room next to her own.

Most of the "present" of the film concerns these two women and the café owner, Mario, with whom Laure is having an affair. Laure, we learn, is a Lyonnaise widow, bereft after a long happy marriage, childless. Betty, we learn, is the wife of a wealthy young man from a noted family, mother of two small children. She had a promiscuous life before marriage, warned her husband beforehand of her propensities and has subsequently been discovered fulfilling them. Earlier on that very first evening of the film, she had been figuratively thrown out of their chic Paris apartment, after writing a letter—dictated by a lawyer—forfeiting all her rights to property and children in return for money. She left with the first of the large checks she is to get. She headed for the café where we met her.

Some of Chabrol's marvelous dexterity is manifest in the way he braids the past with the present—without any sense of "flashback." The past is simply, suddenly, made as immediate as the present. Often Chabrol goes back to a segment of the past more than once to look at it from another view, from another aspect of Betty's memory. I've never been less conscious of strain in a film where we needed to understand the past in order to understand the present. In fact—and I don't know if Simenon's novel is designed this way—Chabrol has fashioned his screenplay so that at least half of it takes place at points behind the present. This is not unique; still, it is adventurous, and it calls for the offhand self-confidence with which Chabrol moves between time-planes.

This method is part of the completion of Betty, whose character is the real locus of the film. Some of the material is a bit psychologically pat. For instance, she embarked on her promiscuous way because, when she was 13, she went down into the cellar for something and discovered her uncle coupling with a servant girl. This no more convinces than the wrecking of Biff Loman's life, in *Death of a Salesman*, by his discovery of another woman in his father's hotel room.

But Betty, knowingly depraved, unhappy but unrepentant, is delineated so skillfully that Chabrol's very skill lends her credibility and sympathy. No apologies are made for her, least of all by herself. She exists, that's all. And her very existence makes the ending inevitable.

Through much of the film, as in some others of his, Chabrol keeps the camera in fairly close to his actors a good deal of the time, often moving with them, yet without making them screen images in

FILMS WORTH SEEING

Guelwaar. *Ousmane Sembène sends his latest from Senegal, lucid and deep as always. A corpse is misplaced before a funeral, which leads to farce, then to religious conflict, then to a social portrait. (Reviewed 9/6/93)* **In the Line of Fire.** *Exceptionally good genre item. Clint Eastwood as a guilt-ridden Secret Service agent versus John Malkovich, as a brilliant would-be assassin of the president of the United States. (8/9/93)* **Much Ado About Nothing.** *Except for the four Americans aboard, a heart-lifting, mind-tingling realization of Shakespeare's peculiar comedy-drama. (5/10/93)* **The Music of Chance.** *Odd, offbeat, suggestively sinister. Mandy Patinkin and James Spader lose a poker game and pay their debt in a weird way. (6/21/93)* **—SK**

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any iconic way. He merely anticipates and satisfies our curiosity, then opens it further. The economy with which he handles his complicated material is quietly breathtaking. Once again with Chabrol, the film as a whole is less than completely satisfying; once again, his artistry makes it cinematically rewarding and, in human terms, fascinating.

Much of the last is due to the fact that he has not used Isabelle Huppert in the leading role. This glacial woman froze the center of *Madame Bovary*, and of some other recent Chabrol films. Instead, luckily for us, Betty is played by Marie Trintignant. She is the daughter of the well-known actor Jean-Louis and the director Nadine, in one of whose films she made her debut. Trintignant has one of the prime requisites for the screen—an explorable face. There seems always something new and pertinent to be discovered in it, something revealing about the woman she is playing at this moment in her life. As Betty, her wide-eyed, almost innocent response to others' justified anger at her behavior has exactly the right implication: "I'm merely fulfilling the role that fate assigned me in life. So why all this shouting?"

Laure is played by Stéphane Audran (formerly Madame Chabrol) with a moving mixture of compassion and vulnerability-through-decency. As with many valued screen veterans, we see this performance as the latest in a line that seems to stretch out behind her in perspective, as if we had gone through a gallery and were now looking at the current work. Thus, in addition to whatever else she evokes in this scene or that, there is also a touch of gratitude. •

The Revisionism Thing

BY ARTHUR SCHLESINGER JR.

Churchill: The End of Glory by John Charmley

(Harcourt Brace, 742 pp., $34.95)

Last season the publishing scandal in London was a study of Winston Churchill by a young English historian named John Charmley. *Churchill: The End of Glory* received a roaring send-off in *The Times* of London from Alan Clark, a former Tory defense minister (whose own political diaries are this season's publishing scandal in London). Recalling the grim days of 1940-41 when Britain stood alone against Hitler, Clark observed that "there were several occasions when a rational leader could have got, first reasonable, then excellent, terms from Germany"; and had the British government the sense to negotiate peace with Hitler, "Britain would have been richer, stronger and more of her people would have been alive than was the case in 1945." Unfortunately, Clark continued, Churchill was an irrational leader, so obsessively bent on the total defeat of Hitler that he wrecked the economy, the Tory party, the Empire and the future of Britain. Charmley's book, Clark wrote, was "probably the most important revisionist text to be published since the war."

There followed a British version of the *Historikerstreit*, with D.C. Watt, Robert Rhodes James, Richard Overy, Anthony Howard, Robert Harris and others rejecting the Charmley-Clark thesis in terms ranging from reproach to outrage. Meanwhile Charmley himself had gone, of all places, to Fulton, Missouri, to occupy the Fulbright chair in British history at the Churchill Memorial in Westminster College, from which command post he has proceeded to issue fusillades against his critics.

In fact Charmley had already set forth his revisionist thesis in an earlier book, a defense of Neville Chamberlain that appeared in 1989. "Was Hitler the portent of a new war?" he had asked in *Chamberlain and the Lost Peace*,

> or merely a sign that the work of Versailles needed recasting? Chamberlain saw no gains for Britain in another war, and, despite the pious assumptions of British historians, it is by no means clear that the results of the Second World War were commensurate with the sacrifices it entailed. The old balance between the Fascist and Communist powers on the Continent was tipped decidedly in favor of the latter, whilst the economic and diplomatic foundations of the British Empire received a mortal blow; nor was the lot of the Poles, on whose behalf war was declared, improved.... [Chamberlain's] was the only policy which offered any hope of avoiding war—and of saving both lives and the British Empire.

Charmley even made passing reference to "[Oswald] Mosley's sensible ideas on foreign policy," which were, he claimed, "unjustly" neglected. But *Chamberlain and the Lost Peace* attracted little attention, no doubt because making Chamberlain a hero strikes fewer nerves than making Churchill a villain.

In view of the controversy over Charmley's new book, it is a bit surprising to discover that Hitler and Nazi Germany hardly appear until the book is half over. The first 300 pages contain a potted political biography of Churchill written in a tone of unrelenting skepticism. This is a legitimate approach. In a long life, after all, Churchill pursued an erratic course, made his share of mistakes and tried to cover them up and so deserves unsentimental treatment. Charmley, it must be said, is not only unsentimental, he is also patronizing, scoring Churchill's performance with a wondrous confidence in his own superior judgment.

As a historian, Charmley is a close analyst of what might be called political politics—party factions and maneuvers, Cabinet feuds, parliamentary intrigues and the like. He largely ignores the economic and social dimensions of politics; and the result is dehydrated political history. Thus, what is usually accounted as one of Churchill's major mistakes—his decision as chancellor of the exchequer to return to the gold standard in 1925—receives only a couple of sketchy paragraphs. The Great Depression, despite its powerful political impact, is hardly mentioned.

Charmley also tries to turn Churchill's earlier career into a polemic against those pious Churchillians whom he so much abhors. "Questioning the ancestral gods of any nation," he writes in praise of his own courage, "has never been an enterprise rewarded by anything save calumny." (The sales of his book in England show that there are other rewards.) Yet still he goes intrepidly ahead, seeking to confound anti-appeasement historians by demanding that they recognize Churchill's opposition to appeasement as "part and parcel of a general attitude" that also produced his opposition to home rule for India. Empire lovers like Churchill, Charmley suggests, were by nature bold fellows and anti-appeasement, while grovelers like Lord Earl Halifax, an advocate of concessions to Indian nationalists, were by nature pro-appeasement.

Thirty pages later Charmley falls into his own trap. Without apparent awareness that he is refuting his earlier point, he writes that Churchill "could not fight India without the 'Blimps,' but many of these did not share his views on the dan-

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gers to be apprehended from the Continent; whilst those who shared his views on the latter deplored his associates and actions over India." Charmley even cites Duff Cooper's remark that Churchill's campaign against the India bill had "isolated Churchill from those like himself, who on 'appeasement' were his natural supporters." In other words, opposition to appeasement was not, after all, "part and parcel" of opposition to home rule for India.

All this is prelude, however, to the controversial nub of the book, which is Charmley's argument for a negotiated peace in 1940-41. Here he amplifies the point that he advanced in *Chamberlain and the Lost Peace*. The result of Churchill's irrational passion to destroy Hitler, he says, was to deliver Britain to the Socialists, "who would do much to weaken the social and political system of which he had always been such a resolute defender"; and to deliver Eastern Europe to the Soviet Union, and the rest of the world to the United States.

Wise old Chamberlain, by contrast, knew that "war would hand over power to the barbarian Soviets and the naive Americans." In late May 1940, when the collapse of France and the fear of German invincibility raised the question of a negotiated peace, Halifax told the Cabinet that it would be better "to accept an offer which would save the country from avoidable disaster" than to risk "two or three months of air attack." Churchill responded that he would listen to a peace offer only if Hitler agreed to relinquish his conquests. Otherwise the war must go on. Halifax thought that Churchill was talking "the most frightful rot."

Official Britain was certainly closer to seeking terms from Hitler than most people knew at the time. And Hitler was certainly prepared to offer relatively mild terms that spring: in exchange for German domination of the Continent, he would have said, Britain could keep its Empire, except for the German colonies of yore. As Charmley visualizes it, if only Halifax had been prime minister instead of Churchill, he could have told the British people in "manly and soothing tones ... that the British could not hope to win the war by themselves and that, in the absence of anything from the Americans save the usual kind words, and with nary an ally in sight, the time had come to talk with Herr Hitler." Lloyd George would have supported Halifax, and the nation would have gone along "with less relish perhaps, but knowing that there was no alternative." But Churchill, alas, single-handedly, through the spell of his oratory, halted the rush to negotiation. Churchill: "We shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets...." Charmley: "It was sublime—nonsense—but sublime nonsense."

The case for a negotiated peace, however, rests on staggering assumptions. Does Charmley really think Britain would have been better off as another Vichy, its newspapers censored, its *resistants* imprisoned and deported, its liberties and its future mortgaged to Germany rather than to the United States? And why would Hitler have respected a pact with Britain any more than he had in 1941 respected the Nazi-Soviet pact he made in 1939? With all quiet on the western front, the Nazis could have invaded the Soviet Union well before the winter snows of 1941, and would very probably have knocked the Russians out of the war. German domination of Europe would have given Hitler a free hand to carry out his program of racial extermination. And it seems quite possible that German scientists might have beaten the Americans, deprived of the indispensable assistance of British physicists, in the race to make the bomb. Britain would soon have been reduced to a satellite, sending its Jews to Auschwitz, where sturdy Britishers on the channel island of Guernsey did in fact send their Jews during the German occupation.

Far from saving the British Empire, moreover, a negotiated peace would have speeded its disintegration. Canada, Australia and New Zealand would have sought the protection of the United States. The British capitulation would have emboldened nationalists in Asia and Africa to rise up against colonial rule—as Charmley ought to understand, in view of his remark that the surrender to the Japanese at Singapore "did more to undermine the British Empire than anything except the Americans." In any case, the Empire's troubles, and Britain's economic decline as well, long predated Churchill's arrival at 10 Downing Street, or Roosevelt's at 1600 Pennsylvania Avenue.

Charmley rests his case on assertion and insinuation, not on analysis and argument. He does not attempt a reasoned defense of a negotiated peace, nor does he consider where such a peace might have led, nor does he even discuss at what point the British government should have done the dirty deed. His emphasis is on May 1940; he passes over April 1941, the date that Alan Clark evidently prefers.

Nor does Charmley's recent barrage of interviews and statements clarify his position. He denied to *The Scotsman* that he had said Britain should have made peace with Hitler in 1940, and he denied to the *National Review* that he favored peace in 1941—all of which leaves the bystander baffled as to what in the world he would have had Britain do. He also denied to *The Times* of London that he had said a treaty with Hitler would work; he had in mind, he said, bargains of the sort that Churchill and Roosevelt did in fact make with lesser fascists like Darlan in North Africa and Badoglio in Italy.

But in an interview with the *Chronicle of Higher Education*, Charmley talked of a deal with Hitler, predicting that, had peace been made in 1940, Hitler "would have been undone by his war with the Soviet Union and eventual revolts in occupied France"; in time, "'doves' would probably have overthrown both Hitler and Stalin." Eastern Europe, Charmley thinks, might never have fallen to Soviet rule. (Would Nazi rule have been an improvement?) In the meantime, he believes, Britain would have kept the Empire; and, since there would have been no need to raise taxes on the native elite, the revolt against colonialism might never have taken hold. The Union Jack might still be flying in New Delhi.

Talk about sublime nonsense! Some have blamed Charmley's credulity on the fact that he was born a decade after the end of the war: if he had been there in 1940, then he would have understood. I see no reason to doubt, however, that Charmley, had he been there in 1940, would have agreed with Chamberlain and Halifax. His youth is irrelevant. There would be very little history written if historians were debarred from writing about things that they did not personally experience. It is not Charmley's age that determines his slant, it is his politics.

A self-described "radical-right Thatcherite," he denounces "communism, socialism and Keynesian economics, not to mention 'politically correct thinking,' anti-racism and the United Nations" as the awful "children of the new order" created by Churchill and Roosevelt. He is trying to discredit Churchill, in other words, exactly as right-wing American revisionists have tried to discredit Roosevelt. He portrays Churchill much as C. C. Tansill, John T. Flynn, Harry Elmer Barnes and others used to portray Roosevelt, as a naive fellow who foolishly subordinated political objectives to the winning of the war, who placed too much faith in the power of personal relationships and who was criminally soft on Stalin.

From Charmley's viewpoint, Roosevelt was the crafty one, hoodwinking and manipulating Churchill. "If Machiavelli

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had never written," he observes, "the president could have supplied the want—always supposing that anyone could have tied him down for long enough to write." Under cover of his "Wilsonian nonsense," Roosevelt coldly took advantage of Britain's adversity to extend the power of America with minimal expenditure of treasure and blood. "Despite Roosevelt's often repeated dictum that political matters could wait until the peace settlement, neither he nor his advisers behaved as though this were true; nor did Stalin. Only Churchill did so."

Charmley's book contains useful documentation; the quotations from Anthony Eden's diary are new and interesting. Charmley can also be a witty writer, not so funny (or nearly so good a historian) as A. J. P. Taylor, on whom he appears to have modeled himself, but capable of effective, if mean, turns of phrase: "Harold Nicolson, who had just left the Foreign Office to join the Beaverbrook press (before realizing his mistake and making another by entering politics)"; "Bracken once said of Churchill that he was 'very credulous, he has always been easily taken in.' His presence in Churchill's entourage was evidence enough of the accuracy of his comment."

Yet his book has too many cheap cracks, and shows signs of hasty composition. It is repetitious, and sometimes it is mistaken. (In the Spanish-American War, for example, the Americans were not fighting the "Cuban rebels," they were fighting the Spanish.) And on occasion it is self-contradictory. On one page Charmley describes Churchill as fond of recalling a meeting with Roosevelt before the war—a meeting of which, he says, Roosevelt had no memory. Thirty pages later he correctly writes that it was Roosevelt who remembered the meeting and Churchill who forgot it.

But it is the insidious argument of the book that cripples it most. The central point of *Churchill: The End of Glory* is to insinuate the idea, without running the risk of full-scale argumentation, that, if only Britain had made an early peace with Nazi Germany, the British Empire would still be a place where the sun never sets. Charmley likes to shock, but he has not taken the time or the trouble to think his alternative through, and so, for all its footnotes, this is not a serious book. Winston Churchill, that impetuous, imperious, fallible and glorious man, will easily survive it.

ARTHUR SCHLESINGER JR. is the author, most recently, of *The Disuniting of America: Reflections on a Multicultural Society* (W. W. Norton).

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The Lawyer as Hero

By Nicholas Lemann

Dream Makers, Dream Breakers: The World of Justice Thurgood Marshall by Carl T. Rowan

(Little, Brown, 496 pp., $24.95)

Thurgood Marshall: Justice for All by Roger Goldman with David Gallen

(Carroll & Graf, 509 pp., $13.95 paper)

Thurgood Marshall: Warrior at the Bar, Rebel on the Bench by Michael D. Davis and Hunter R. Clark

(Birch Lane Press, 448 pp., $24.95)

Given the feeling in black America that other folks are always trying to cloak their causes in the magnificent moral raiments of the civil rights movement, there must be a lot of bitter chortling going on over the claim that Ruth Bader Ginsburg is the Thurgood Marshall of feminism. Ginsburg tried her landmark sex discrimination cases of the 1970s as a tenured law professor married to a prosperous tax lawyer. Marshall spent the better part of three decades in frequent physical danger as he traveled through the South filing lawsuits on behalf of the NAACP Legal Defense and Education Fund. Marshall and the Fund were perpetually broke; he once filed for 11 cents' worth of travel expense reimbursement. Death threats, secret hideouts and a never-ending barrage of racial epithets were part of the ordinary routine for him. On at least two occasions, small-town Southern lynch mobs were convened for the purpose of doing him in.

A few years ago in *The Washington Post Magazine*, Juan Williams, by way of drawing attention to the large gap between white and black perceptions of Marshall, called him "the most important black man of this century," which, indeed, had a distinct shock effect. What about King? What about DuBois? What about Malcolm X? Even Louis Armstrong and Jackie Robinson loom larger in the historical consciousness of the country as a whole. As Williams pointed out, most whites think of Marshall as a Supreme Court justice—and, he might have added, not a great one.

From the standpoint of the gaggle of perfect 25-year-olds who, as clerks leaking to the press, are our main source of nuanced information about the Court, the Marshall of the 1970s and 1980s didn't cut it. He played a notoriously small role in the writing of his own opinions, relying on his clerks as drafters (or, as one former clerk put it, giving them "creative freedom in drafting opinions") to a greater extent than any other justice. He didn't expend great effort in trying to influence the other justices, and so he had little effect on the overall direction of the Court; his friend William Brennan would do the negotiating for liberalism, knowing that he had Marshall's vote in his pocket. Intellectually, Marshall hardened into a position of adherence to a handful of deeply felt positions (opposition to the death penalty; support for affirmative action, privacy and the rights of the accused) and did not give the impression that he was engaged in a dialectical interplay between his inclinations and the changing nature of American life.

Marshall didn't act like a Supreme Court justice, either. His un-Holmesian way of life included regular trips to race tracks and Atlantic City casinos, copious consumption (by today's standards) of Winstons and Wild Turkey and conversation filled with profanity and a 1940s *boulevardier*'s slang. (He sometimes addressed his brethren as "baby.") All this was the style of a certain time and place—a time and place where no other justice or clerk had ever been—and also, perhaps, this style had some of the forced jauntiness of the combat soldier about it, having been adopted as a response to a life of unending fear and risk. But it often led those who knew Marshall only toward the end of his life to describe him patronizingly, as a colorful character, the Court's clowning token Negro.

You can imagine Marshall's hurt and rage over this view of him. His life makes one of the great heroic stories of American history; next to it the pre-Court career of every other justice, even a former president like Taft, a leading intellectual like Frankfurter or a great reformer like Brandeis, looks like a dull bourgeois progression up the ranks of society. I don't mean here to ascribe status to Marshall on the basis of his having "known poverty and discrimination," which was the rhetoric of Clarence Thomas's handlers. What is awe-inspiring about Marshall is what he *did*.

Marshall was evidently not one of those powerful men who can't let anyone get close enough to become a warm friend, or who is noble in public but monstrous in private. So far the job of telling his life story has been in the hands of people who knew and loved him: Carl Rowan first met Marshall back in the early 1950s, and Hunter Clark, as a high school student, was chief page of the Supreme Court and had Marshall's sponsorship as he went on to college and law school. Rowan had contracted to ghostwrite Marshall's autobiography—a project that Marshall dropped, though he could have used the money, apparently because he couldn't bring himself to discuss Supreme Court deliberations publicly—and interviewed Marshall on camera in connection with two public T.V shows he produced.

Clark and Michael Davis have produced a straightforward, workmanlike and useful biography of Marshall, written mostly from public sources and without any evident special access to Marshall himself. Rowan's book is closer to a memoir. He has had much more original material on which to draw: decades of personal contact with Marshall, some one-on-one recent interview material (perhaps done for the aborted autobiography) and the ordinarily closed archives of the NAACP. But evidently Marshall told Rowan very little on the record about his Court years—"just ain't gonna talk," Rowan quotes him as saying—and Rowan had to write before the Marshall papers in the Library of Congress became available. In the book Rowan feels free to stray from Marshall's life story and to digress about his own experiences. And he editorializes copiously,

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especially about Washington politics in the 1970s and 1980s. You get the feeling that although Rowan isn't able to quote Marshall on recent events, one reason he is so free with his own views might be that he knows them to be essentially the same as Marshall's.

Although both books are admiring, even worshipful, they differ in interesting ways. Rowan consistently takes the position that racism is the great overriding force in American life, that it explains everything about Marshall's own story. Davis and Clark, members of the post-civil rights generation, emphasize class. An early and illustrative point of contrast between the two books is on the issue of Marshall's childhood. Davis and Clark present Marshall as a member of the Talented Tenth. His grandfather was a freed slave who fought in the Union Army, then operated a grocery store in Baltimore and owned a home in the best-off black neighborhood in the city. Marshall's father was a Pullman porter and then a waiter at a fancy white country club—jobs that sound bad today, but in the early twentieth century put you far above the middle of the black social structure. His mother was a graduate of Teacher's College at Columbia. His first wife, Vivian "Buster" Burey, was a graduate of the University of Pennsylvania. Marshall himself went to Lincoln University, a private black school in Pennsylvania with an all-white faculty, where his classmates included Langston Hughes, Cab Calloway and Kwame Nkrumah. His lone sibling became a surgeon. The family had no money—Marshall's mother had to pawn her engagement ring to send him to law school—but it was established and respectable, and well-acquainted with the light-skinned black elite of Baltimore.

Rowan hints that Marshall's father was an alcoholic and a quasi-broken man, because of the pain of being relegated to the role of servant. During Marshall's infancy his parents lived in New York City—according to Davis and Clark, so that his mother could get her graduate degree. But Rowan has them moving as "part of the great migration," receiving an unspecified "chilly reception" attributable to a wave of racist sentiment then sweeping the nation and "after five disillusioning years" returning to Baltimore to live with relatives. Marshall's brother, William, Rowan says, was repeatedly passed over for the directorship of the tuberculosis sanitarium where he worked, until finally (here he is quoting Marshall) "his heart just gave out." As Rowan tells it, Marshall himself was far from a model child: he once worked for a bootlegger, he drank too much and he was "on the verge of being thrown out of Lincoln ... every year." Rowan's much more tragic and angry version of Marshall's early life is useful because it helps answer what might be called the Antonin Scalia question about Marshall: Wasn't his powerful sense of the aggrievement of all black people something of a pose, or even a self-delusion? Rowan, thunderously, would say no, it wasn't.

Marshall's life follows a nearly perfect arc of purpose from 1930, when he was 22 years old, until his appointment to the Supreme Court in 1967. As a senior at Lincoln he applied to the University of Maryland's law school and was rejected solely on the grounds of his race, a slight that couldn't have come as a great surprise but that so infuriated him that he could speak with fresh bitterness about it until the end of his life. Instead he went to Howard, where he became the protégé of the dean, Charles Hamilton Houston. For Houston, the purpose of Howard Law School was to be a training ground for civil rights legal cadres—to turn out a graduate who would be "a social engineer and group interpreter" who "must be prepared to anticipate, guide and interpret his group advancement"—a view that Marshall adopted and held for the rest of his life. In 1934 Houston left Howard to become the chief counsel for the NAACP. Marshall, who had been conducting a solo practice in Baltimore that did a good deal of NAACP work, moved to New York in 1936 to be Houston's deputy. In 1938, Houston, suffering from tuberculosis and a bad heart, decided to return to Washington, and Marshall, at the age of 30, took charge of the NAACP's legal department.

The NAACP was founded in 1909, the year after Marshall was born. In its early years it was white-dominated, and its main cause was to combat the wave of lynchings sweeping the South. During the period just before Marshall went to work there, the NAACP changed substantially, becoming more of a black organization, and more important, embracing a new central purpose: mounting a legal challenge to segregated public education. The chief counsel who wrote the original memo that stated this idea was Nathan Margold, Houston's predecessor, but Houston (and Marshall) embraced it wholeheartedly. Bitter internal disputes preceded the NAACP setting off on its long journey through the courts: Communists who believed in putting protests above lawsuits, and nationalists who wanted to concentrate

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on building up black America internally rather than on pushing for integration had to be vanquished first. W. E. B. DuBois, then in a nationalist phase, was ousted as editor of *The Crisis* in 1934 because of his opposition to Margold's and Houston's ideas.

Marshall's accession to the chief counsel's job, then, was perfectly timed. He was too young to have had to waste any time or political capital establishing the mission, and so he could devote all his energies to pursuing it. From the day that he entered law school until his appointment as a federal appeals judge in 1961, Marshall's life was about one thing: fighting for black people through lawsuits. (From 1961 to 1967 it was about preparing to go on the Supreme Court.) To debate the strengths and the weaknesses of the NAACP's ideas in retrospect is quite interesting, but the central point about Marshall himself is that he carried these ideas out with full intellectual commitment, legal skill, organizational support and personal courage, never doubting or wavering.

The theory of the NAACP was that an immediate, direct attack on *Plessy* v. *Ferguson*, the 1896 case in which the Supreme Court endorsed the principle of "separate but equal" as being consistent with the Fourteenth Amendment, would fail. Therefore it would begin by nibbling around *Plessy*'s edges, building up an elaborate set of precedent-setting pro-civil rights court decisions along the way. The early school cases were filed against professional schools—partly because there were no state-run professional schools for Negroes in most of the South, so the separate but equal defense couldn't even be raised, and partly because integration at that level was marginally less threatening to the white South than was integration of grade schools. During the brief period when he was practicing law in Baltimore, Marshall was involved in the first of these cases, *Murray* v. *the University of Maryland* (1935), in which he and Houston got sweet revenge against the Maryland law school by winning a judge's order that it admit its first black student.

The landmark victories, in and out of the field of education, rolled on. In *Missouri ex rel. Gaines* v. *Canada* (1938), Marshall got the Supreme Court to order the integration of the University of Missouri's law school. In *Smith* v. *Allwright* (1944), the Court ruled that the Texas Democratic Party's "white primary" was unconstitutional. In *Morgan* v. *the Commonwealth of Virginia* (1946), the segregated back of the bus was outlawed on interstate carriers. *Shelley* v. *Kraemer* (1948) did away with the neighborhood "restrictive covenants" that routinely forbade the sale of houses to blacks, Jews and members of other minority groups. *Sipuel* v. *Oklahoma State Board of Regents* (1948) won a black woman admission to the University of Oklahoma's law school (a ruling that the state successfully circumvented by establishing a new law school for Ada Sipuel to attend alone, taught by three professors). In *Sweatt* v. *Painter* and *McLaurin* v. *Oklahoma State Regents* (1950), Marshall finally challenged *Plessy* directly, and won a partial victory: in *Sweatt* the court ordered a black student admitted to the University of Texas law school even though there was a separate (though demonstrably unequal) state law school for blacks, and in *McLaurin* it ruled that the University of Oklahoma could no longer force a 68-year-old black graduate student to sit in a separate section of his classrooms marked "Reserved for Coloreds."

Merely reciting this litany of Supreme Court victories, which would have made any lawyer a legend, fails to convey fully Marshall's importance. He was a hero in black America, and what made him one was his willingness to travel anywhere, no matter how exhausted he was, no matter how broke, no matter how dangerous a place it was for uppity Negroes, and take on a case that had merit. It is arguable that his reputation among blacks was based more on the cases that he lost (especially a series of suits on behalf of the unfairly accused, convicted and imprisoned) than on the cases that he won. He brought these cases at a time when it was still extremely rare for a black man to occupy a position of official authority in the wider society, let alone one that allowed him to challenge white authority figures openly.

Marshall's reputation was essential in transforming the NAACP from a small organization supported by a handful of white philanthropists into a membership organization supported by a wide black constituency. As Davis and Clark point out, the two men who ran the NAACP, Walter White and Roy Wilkins, were both perceived as snobs by non-bourgeois blacks, but Marshall had the common touch. By the late 1940s, he was prominent enough to be able to press the civil rights cause personally with high officials of government—in 1951, for example, he went to Korea to investigate complaints about discrimination in the armed forces, and was immediately given a long private audience with Douglas MacArthur. He also had a talent for mentoring, and helped train such young lawyers as Spottswood Robinson, Robert Carter, Constance Baker Motley, William T. Coleman and Jack Greenberg, while also serving for many more lawyers whom he didn't know as the model of the lawyer-as-crusader against injustice.

And all this is the early Marshall record that precedes his crowning achievement, the overturning, at long last, of *Plessy* in the *Brown* v. *Board of Education of Topeka* decision of 1954. The story of the *Brown* case is so dramatic it almost sounds made-up: Marshall's assembling of a team of sociologists, psychologists and historians to transform social science into a courtroom weapon; the face-off between Marshall and white-maned John W. Davis, perhaps the two greatest Supreme Court advocates of the twentieth century; the memo that William Rehnquist wrote as a clerk urging that *Plessy* be upheld; the sudden death of Chief Justice Fred Vinson, just when it looked as if the Court wouldn't be able to reach a decision, and his replacement by Earl Warren; Marshall's wife learning that she had terminal cancer and keeping the news from him until after the decision was handed down, so that he would be able to concentrate fully on the case.

The *Brown* decision put racial issues immediately at the center of American public life, and effectively set the agenda for our domestic politics in the second half of the twentieth century. In *Thurgood Marshall: Justice for All*, an anthology of Marshalliana, Stephen Carter argues that the *Brown* decision made not just Marshall's reputation, but also the reputation of the Supreme Court, which "would have sunk slowly into obscurity" if it hadn't picked up the gauntlet that Marshall threw down before it. This may sound exaggerated, but it is true that the part of the Court's work that gets the most attention—its decisions on abortion, crime, voting rights and other discrimination-related issues—has for the past forty years consisted substantially of either explorations of *Brown*'s full ramifications, or of attempts to apply *Brown*-like logic to other areas.

Martin Luther King Jr. had just accepted the call to become pastor of the Dexter Avenue Baptist Church in Montgomery when the *Brown* decision was handed down. It's hard to imagine that the Montgomery bus boycott and all that followed would have taken place if *Plessy* had stood, but it isn't as if the civil rights baton was willingly passed from Marshall to King after *Brown*, either. Marshall and his predecessors at the NAACP had built their lives around the idea that it would be counterproductive to break the law openly in service of the civil rights cause, as King was doing; Rowan quotes Marshall telling him, at

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the time of the Montgomery bus boycott, "All that walking for nothing. They might as well have waited for the Court decision."

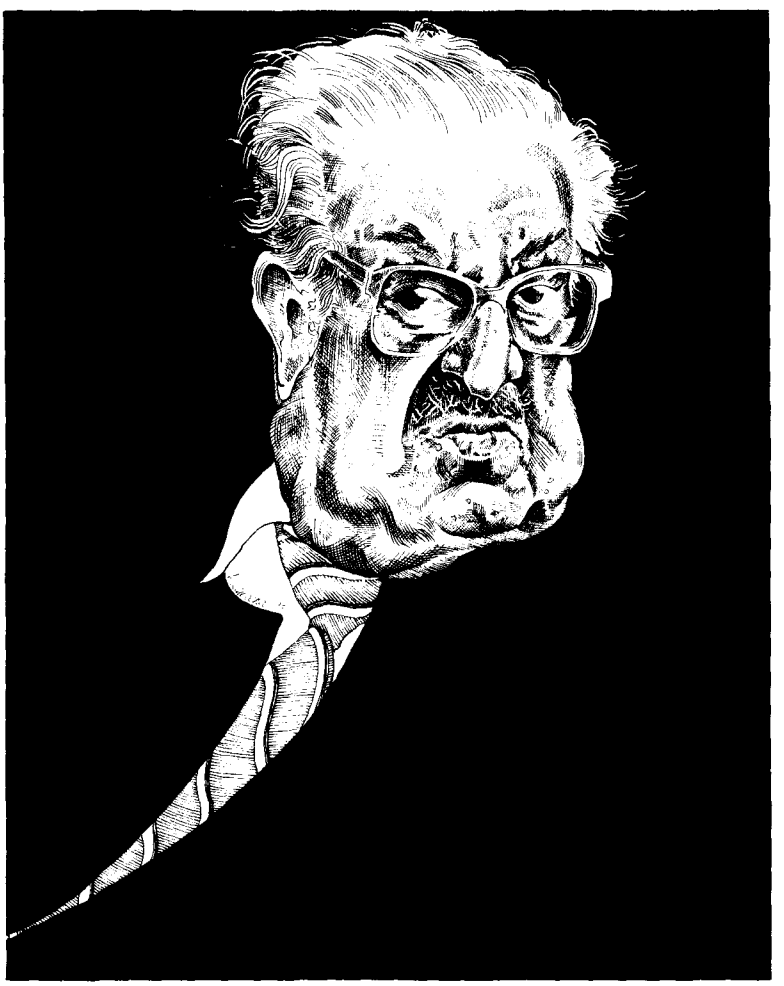
There must have been some element of jealousy in Marshall's reaction to King, who was twenty years younger and was winning a celebrity in the white press that Marshall never had. Davis and Clark have Marshall calling King "a boy on a man's errand," an "opportunist" and a "rabble-rouser," even though Marshall did grudgingly come around to a position of helping to bail King's people out of Southern jails. His personal feelings about King aside, Marshall believed that winning lawsuits was by far the most reliable way to affect change. Davis and Clark say that he tried to talk students out of participating in the Freedom Rides, and that he was horrified by King's use of children as marchers in Birmingham. He didn't see that such tactics could produce victories.

King's career demonstrated the great effectiveness of a two-cushion shot: mass protest and soaring oratory changing public opinion (through press coverage of the civil rights movement), the pressure of public opinion then inducing the executive and legislative branches of the federal government (which Marshall thought would never move on civil rights), rather than the Supreme Court, to act. Marshall's career after *Brown* demonstrates, sadly, the inherent limitations of victories won in the judicial branch.

In the short run, even the Supreme Court, with its immense power of fiat, pushes up against the limits of public consent, especially on racial issues. The sorry state of black enfranchisement in the South during the twenty years between the *Smith* v. *Allwright* decision and the Voting Rights Act is one case in point. Another is the Court's rehearing of the *Brown* case, resulting in the order that the South proceed on school integration "with all deliberate speed" (an immense disappointment to Marshall, who said to Rowan, "How the fuck do you have all deliberate speed?"), which surely was motivated in part by a fear that if the order had said "immediately" it would have been openly flouted, and the legitimacy of the Court undermined. In the long run, Marshall's judicial victories produced a political backlash that contributed to the election of Republican presidents, who appointed conservative Supreme Court justices, who to some extent undid the victories. It was Marshall's misfortune that this dynamic dominated his own time on the Court.

If it hadn't been for the downfall of Abe Fortas, which prevented Lyndon Johnson from being able to name two new justices, including a chief justice, before he left the presidency, Marshall might have been able to serve on a Court with which he felt more comfortable. And yet the Court remained quite liberal, by today's standards, for some time. *Swann* v. *Charlotte-Mecklenburg Board of Education*, the pro-busing decision that was the last of the Court's unanimous civil rights rulings, came under Warren Burger in 1970. A Nixon appointee, Harry Blackmun, wrote the opinion in *Roe* v. *Wade*, which was issued in 1973 on the day that Johnson died. (Rowan says that the fetal viability standard used in *Roe* was Marshall's idea, which makes Marshall responsible for *Roe*'s viability.)

A Fortas Court, moreover, could not have been much more than a liberal interlude because the political climate was changing. Johnson had it in mind for years to put Marshall on the Court, made him solicitor general in 1965 to continue the grooming process the Kennedys had begun by appointing him to the Second Circuit and may even have appointed Ramsey Clark attorney general in 1967 in order to force the resignation of Clark's father, Tom (you couldn't have a father sitting in judgment of his son's cases), and so create a Court vacancy for Marshall. But in retirement Johnson told Marshall that it was appointing a black Supreme Court justice, not Vietnam, that caused his political demise. It was a manipulative thing to say (Johnson wanted Marshall's gratitude, and got it), but Marshall, at least, didn't find it implausible. If there is any truth at all to Johnson's hypothesis, then conservative presidents and a conservative Court were indeed inevitable.



THURGOOD MARSHALL BY VINT LAWRENCE FOR THE NEW REPUBLIC

Marshall wrote 1,881 dissents as a Supreme Court justice. One of his early painful experiences on the Court was seeing its consensus on school integration, the issue with which he was most closely associated in the public mind, break down in 1974 in the 5-4 *Milliken* v. *Bradley* decision, which overturned city-to-suburbs busing in Detroit. On the night after the Court announced its refusal, in *Gregg* v. *Georgia* (1976), to declare execution a form of cruel and unusual punishment, Marshall suffered a heart attack. Evidently Marshall made some kind of peace with Burger (who provided a blurb for the jacket of Rowan's book), but the election of Ronald Reagan, the elevation of William Rehnquist to the chief justiceship and the appointments of Justices Scalia, Kennedy and Souter were apparently more than he could take. During the late 1980s he made unjusticelike public attacks on the direction of the Court and

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on Reagan. The decision in the case of *Payne* v. *Tennessee* (1991), in which the Court declared that "victim impact statements" could be used in criminal trials, "broke his spirit and heart," according to Rowan. He announced his resignation on the day it was handed down.

The toughest question that can be asked about Thurgood Marshall is whether he is admirable but no longer instructive. Does he belong on the roster of great figures in American history (like Franklin Roosevelt) who seem to have grappled successfully with themes that have since been grappled with unsuccessfully, or with those figures (like George Washington) whose achievements are enormous but seem to have no present-day applicability? To put him in the former class, where I think he belongs, requires a careful framing of the case. Certainly the argument that he is not a beacon anymore is easier to make. It would be that, first, making the court system the arena in which the civil rights struggle is played out is an idea whose time has passed: after the enactment of the Voting Rights Act in 1965, blacks in the South were no longer massively disfranchised, which meant that legislatures would become the best place to press the cause, not least because victories won there tend to last longer. And second, Marshall's key issues—abolition of capital punishment, school integration, affirmative action—are not directly relevant to the main problems in black America today, which are crime, unemployment, poverty, poor education and the dissolution of the family.

The usable Marshall is one not viewed through the lens of his strategy and his tactics, but more broadly. These days, most people who think about the drawbacks of the lawsuit strategy, and about the lack of fit between traditional civil rights remedies and the agony of the ghettos, wind up with some kind of nationalist position: that black America shouldn't look for help from white folks, but should generate internal solutions (economic and moral, not legislative or judicial) to its problems. The premise of Kenneth Clark's "doll experiments," which Marshall cited in *Brown*, was that classroom proximity to whites would improve black kids' self-concept—which seems embarrassingly out of date. The consensus in contemporary black America is a blend of the views of Malcolm X and Booker T. Washington: fierce racial pride, political confrontationalism, economic self-reliance.

This position has tremendous appeal, emotionally and on the basis of its airtight internal logic. Its weakness, as Marshall knew, is that it isn't very practical. It envisions black America as a nation of shopkeepers, which it never has been and is not now. Long before you get into discussions of strategy and tactics, you have to define an overall goal. For Marshall, the overall goal was for blacks to join the mainstream of American life, politically, educationally and economically; and this is emphatically not the goal of nationalism. If we need a towering historical figure to remind us that standing apart (or being kept apart) from the rest of the country is never going to be good for black America, Marshall fits the bill about as well as anyone.

So why couldn't he also have laid out a path leading toward the goal that seems more satisfying to us today? A large part of the answer is that he had a profound pessimism (though less profound than the pessimism of the nationalists) about whether whites would ever willingly embrace anything that would truly help blacks. Some of the appeal of the judicial strategy, surely, was the idea that convincing a few tenured white judges who can then issue an order is a lot easier than convincing millions of white voters and their hundreds of elected representatives. Once Marshall was on the Supreme Court, he seems to have had little faith even in that institution, and therefore he didn't try to hammer out a position in concert with the other eight justices that would lead to some model of black advancement about which whites would agree. On abortion, evidently, he was the justice who found a way to formulate legalization so as to maximize the likelihood of public acceptance. On the racial issues that were much closer to his heart, he abandoned the "equal starting line" rhetoric of his *Brown* days and became a total supporter of quotas and set-asides, the policies with the least likelihood of public acceptance. If, as its founders believed, a subtler version of affirmative action was possible (with government ordering the broadening of the search but not its final result), Marshall had little interest in helping to define it. Davis and Clark quote him telling William O. Douglas in conference, "You guys have been practicing discrimination for years. Now it is our turn."

In mild defense of Marshall, his foremost concern, education as a mobility-launcher, is possibly the one most difficult aspect of the already dreadfully difficult subject of race relations. Retrospectively, it seems obvious why the desegregation of public facilities in the South was successfully accomplished: nothing of consequence was at stake. Social segregation seemed important to white southerners only because they felt themselves to be living in a caste society. In fact, they were moving into the national system, in which education, and not birth, is the great distributor of life outcomes. What matters is who gets the slots in the good schools and what educational credentials are used in employment, not who sits where in buses and movie theaters.

The congeries of race, education and opportunity also yield less readily to a clear sense of moral position than the old-fashioned segregation issues did. Think of the difference between the ringing, unanimous *Brown* decision and the Court's decision in *University of California Regents* v. *Bakke* (1978): 5-4 for racial preferences, 5-4 against numerical quotas. Most people would like to see a more equal racial result without it being an explicitly mandated racial result. Figuring out how to produce this, through various improvements and changes in the educational system, could be seen as a great, soaring challenge; but it seems that Marshall would have seen it as a waste of time, because from where he sat, the United States looked like a country that had always found a way to set black people back, except in a few extraordinary cases involving force.

Just as comparisons of Justice Ginsburg's pre-Court career to Justice Marshall's are misplaced, it is highly unlikely that her role on the Court will be much like his was. The group whose cause is Ginsburg's cause is not operating at a massive educational disadvantage, and it is not disproportionately made up of prisoners and poor people (13 percent of white women are poor, 16 percent of women, 33 percent of blacks and 37 percent of black women). The whole national enterprise probably seems more noble to her than it did to Marshall. Sitting around the conference table with the other justices, she will be much likelier than Marshall to be proceeding from the same basic assumptions about how well the society is functioning. Genuine empathy for feminism, moreover, might be easier to come by on the Supreme Court than it was for Marshall's issues: every justice has blood ties to women (two of them now *are* women), only one does to blacks. In Ginsburg's situation, it's vastly easier to play an important part in shaping the consensus.

Marshall may not be much of a felt presence on this Court. It would be better, anyway, if his impact were now felt

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widely across the society rather than intensely within the judiciary. Courts will continue to struggle with all the matters that Marshall brought to them in the first place; but what they cannot do is make this a country in which, to turn around one of Marshall's favorite lines, you'd have to look at your hand to remember you were black. The much more likely vehicle for social change is legislated improvement of black education, the restoration (with government help) of decent, safe conditions in poor black neighborhoods and a breaking down of the barriers confronting people who are ready to leave these neighborhoods. Done well, all this could be self-reinforcing: as people saw that such efforts could work, they would support the undertaking of more of them.

We are living in a time when the idea that government can do anything to resolve the American dilemma comes across as more or less absurd, in a time when people of both races feel they are acquitting their moral obligation simply by calling on black people to set their own house in order through the acquisition of "values" and the development of "responsible leadership." To frame racial issues as a predicament for the entire society, as a problem to be solved by government action, is, now, both daring and right. And it is Thurgood Marshall's legacy.

NICHOLAS LEMANN is a national correspondent for the *Atlantic Monthly*.

Visitations

BY ROSANNA WARREN

A Gilded Lapse of Time by Gjertrud Schnackenberg

(Farrar Straus & Giroux, 143 pp., $19)

In William Blake's prophetic poem "Milton," the sons of Los build the palaces of time, "Moments & Minutes & Hours / And Days & Months & Years & Ages & Periods; wondrous buildings" with a bright golden gate, walls of brass and precious stones. But:

> Every Time less than the pulsation of the artery
> Is equal in its period & value to Six Thousand Years.
> For in this Period the Poet's Work is done: and all the Great
> Events of Time start forth & are conceived in such a Period
> Within a Moment: a Pulsation of the Artery.

In her admirable new book, Gjertrud Schnackenberg has set out to track and to capture these pulsations, the gilded lapses or rifts in time through which revelation gleams and in which history seems—fleetingly—absolved. For poetry takes time, reclaims time: reclaims it, most of all, from the sacrificial succession of history. Such, at least, has been the dominant poetic claim in the West. In apprenticing herself to Dante's *terza rima* as to Mandelstam's caesuras, and in taking on a vast testimony from the past ("texts from centuries / In cliffs of commentaries," as she says in the poem to Mandelstam), she has tested the lyric challenge to history, and tested her own aesthetic conscience and poetic resources.

A poet whose youthful work showed formal mastery verging on the ingenious, Schnackenberg had already begun, in poems about Chopin and Simone Weil in *The Lamplit Answer* (1985), a process of subjecting the lyric to the abrasion of history. Even the earliest poems in *Portraits and Elegies* (1982) had made much of time in their own way. *A Gilded Lapse of Time* presses that penchant toward full-fledged penitential exercise. The endnotes (St. Augustine, Josephus, Eusebius, Tacitus, Suetonius, Cassius Dio, Socrates Scholasticus, *inter alia*) testify to the enormous labors undergirding this new collection. The panoramas that she has tackled are vast: biblical and classical prophecy, and the violent birth of Christian revelation into the ancient world, with imperial consequences extending even into our own day. The tutelary figures she conjures are no less daunting: St. Augustine, Dante, Piero della Francesca, Mantegna, Mandelstam.

In the magnitude and the intricacy of its design, *A Gilded Lapse of Time* may be compared to the art of tapestry. Whether woven or stitched, tapestry suggests a work whose complexity and tensile strength subordinate many disparate ele-

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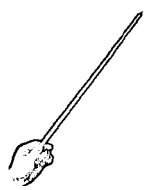

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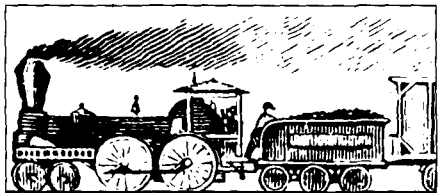

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ments to one masterful order. Schnackenberg's poems on the whole display that tensile strength; as for the principle of subordination, she has practically made it her trademark, both in the metaphysical structuring of images and in extended syntactic hierarchies.

The opening section, comprising the title poem in twenty parts addressed to Dante and set in Ravenna, manages to compress within its frame not only a private, learned and passionate reading of *The Divine Comedy*, but an equally personal courtship of God, mediated through the Bible and St. Augustine, and through contemplation of the ruined brilliance of Byzantine Ravenna. Section II, "Crux of Radiance," traces in seven poems and through a variety of art works the eruption of Christ into the ancient world: in each case it tests the redemptive promise of the crucifixion against the brutal evidence of history. Section III, "A Monument in Utopia," devotes its seven sections to Mandelstam, another exiled poet balanced symmetrically against Dante, with evocations of another empire, this one a nightmare version of the transcendent order Dante dreamed. It is not only themes that surface and resurface, but far more delicate strands: vocabulary, metaphors, rhythmical clusters keep recurring in variation so that the book has one immense texture, one cumulative order.

Schnackenberg has been playing with textiles for years. In her first book, in 1982, she concluded the long elegy for her father (a professor of history) with a vision of the Bayeux Tapestry. In that passage, commemorating the enduring spirit of a dead man, art's supposed transcendence of time seemed ironically balanced against mortal ravage: "...now the centuries of grease / And smoke that stained it, and the blind white moth / And grinning worm that spiraled through the cloth / Say death alone makes life a masterpiece." The bracketing rhymes and martellated stresses hinted at perhaps too neat a closure to the poem's sorrow, which, after all, remained an open question.

A still more complex textile figure concluded *The Lamplit Answer* in an etymological embroidery problem. That poem, "Supernatural Love," again involved the poet's father, who commands the dictionary in his search for the passional roots of "carnation," while the child stitching the word "Beloved" stabs herself: "...*Thy blood so dearly bought,* / The needle strikes my finger to the bone. / I lift my hand, it is myself I've sewn, / The flesh laid bare, the threads of blood my own ..." That poem, with its trinitarian stanzas and conflation of "Daddy" with God the Father, already seemed to extend its conceit to a virtuoso range. But to compare its pentameters and tightly meshed rhymes to the far more subtle orders of the new poems is to measure not only a formal maturation but a spiritual evolution as well. The threads of blood are no longer her own, and the forms that they weave and stitch have admitted far more breakage to their design.

One way into the labyrinthine new book is to follow the thread, not through the grand portal of the Dante poem, but through a side door, "Angels Grieving Over the Dead Christ" in the middle section. Musing over the epitaphios of Thessaloniki, "an orthodox liturgical length of cloth" woven in silk, this poem concentrates the methods and themes of the whole collection. Most specifically, it submits the claims of aesthetic form to a searing interrogation, even as it contemplates the mystery of death in the picture of the dead Christ. And in insisting on the materiality of art, religion and history, the poem calls attention to its own verbal *materia.*

Having sacrificed many of the features that helped make her name as a poet—above all, bravura rhyming and strict meter—Schnackenberg propels her poem forward by an extensive subordinating syntax, controlled here by its passage through quatrains, by cumulative repetition of key words and by a combination of stark factual statement and daring metaphor. She makes a grim effort to take full account of the prosaic, literal *materia* of history, as of the prosaic, literal fact of death:

> There was a way station
> On the Silk Road
> Where the authorities executed
>
> Traitors in a wooden box
> In innumerable, unspeakable ways.

On the other hand, her rare, haunting rhymes ("eras"—"eyes"—"Paradise"—"museum case") and metaphoric escapades ("... and you are invited / To walk this alluvial wave of gold, / To walk in the labyrinths / Of the angels' howls...") tear the fabric of the literal, and suggest a role for the imagination as witness, as protest, as alternative recreation.

Schnackenberg frankly accepts the viewer's role in this poem as a tourist of other people's suffering, and admonishes: "... so before you set foot there, / Take heed..."; "And you must beware"; "So look again." As she weaves her historical data with the scene of Christ and the angels and her metamorphic images (silk worm eggs, waterfalls, bright rivers, gold wires, gold thread, scarlet threads, rivers of blood), she presses toward the central scandal of aesthetics. Must art rise from pain? Does art exploit pain, or collude with torture, by representing pain? ("The torrent of words—later, later. / Here tongues are cut out, // And that is why the howling / Is mute, / Gilded, herringboned.") Beyond aesthetics, the poem follows its "thread" to the clinching rhyme "dead," and to the question about the status of Christ's death. Does that death—for this theologically haunted poet—grant Eternal Life? Redeem the pain?

No dogmatic answers rise from the surface of this poem, or from its neighbors in the Passion sequence. But highly suggestive acts of prosody and syntax carry the argument to its crescendo. After the "swift mischief" of convoluted sentences, the poem pauses in a sequence of short declarative statements as it focuses on the core of mourning:

> The angels wring their hands
> Over a statue. They are deranged,
> But not by grief. They mourn
>
> Not a body, but a work in bronze.
> They do not bring a mortal to the grave.
> But we onlookers who grieve and grieve—

This is writing that invites the closest scrutiny. Two lines of end-stopped Stevensian pentameter underscore the transformation of living savior into artifact, and the moment receives further weight from the alliteration of "body" and "bronze" and the slant rhyme "grave"/"grieve." But the grave stasis of such contemplation is precisely what the poem rejects; in a move characteristic of all the poems in the book, it thrusts off from its hiatus with a strong grammatical opposition ("But we onlookers...") into the white water of its final, long, plunging, adversarial sentence. Adversarial to what? To any consoling view of God and His Creation. That emphatic "But" divides the divine from the human, timeless beauty from mortal protest. Indignation rises in that last sentence through the reiteration of anaphora ("We cannot ... We cannot ... We cannot...") and the final rhyme of "craft" to "laughed" points up the cruelty in divine creation:

> We cannot touch the boiling
> Water where spools whirl,
> We cannot learn firsthand
> The bleakness of the craft
>
> With which God made the world,
> We cannot recount the legend that,
> When they met face to face, both
> God and the worm laughed.

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All of the poems explore similar themes, insisting on the presence of pain at the root of art ("human cries / . . . torn out by the roots"), and, especially in the poems involving Mantegna and Piero, insisting on the material conditions in which art is made. But always, in the mesh of pain and toil and debt, Schnackenberg looks for the aperture, the rip, the moment of human transcendent vision. In "Annunciation," King David's harp becomes "a crooked door," then "an opening like the mouth / Of King David." That poem concludes, not with the *ecce ancilla*, but with an eerie substitution of the medieval destructive angel Azrael (whose name in Hebrew can read, ironically, "God has helped") for Gabriel, and with tombs for the womb, in an echo of the multiple rendings in the Gospel of Mark:

> Mary lifts her face from the deep
> Shadows burying the floor, as if Azrael
> With his shovel suddenly
> Had knocked the ceiling in, and says:
> Then open our empty tombs as well
> On each of us.

The Mantegna poem, "Christ Dead," presents an "empty" cross at the painter's own death ("No one was there"), but finds that the painter's vision endures "Through a caesura in the kingdom" and in the tantalizing open tomb itself, as it does also in the "pinhole of light" that organizes the poem about the aged, blind Piero della Francesca, "The Resurrection."

"A Gilded Lapse of Time," the title poem, begins at the threshold of a "gate built with mud," and wends its way through many breaches, spiritual and temporal. The poem is a tour de force, and I can only give a whirlwind tour of some of the main features. Narrated in an urgent first person singular, the poem takes its speaker on a pilgrimage, physically through Ravenna, but spiritually to a visionary encounter with "the source of poetry." Here is where the poet's enterprise may be said to verge on Blake's. The aims are mighty and prophetic, and the means displayed—the dizzying syntax and metaphoric extension, the cunning rhymes and puns—do (remarkably) sustain the encounter. The perils of such a venture—grandiosity and cultural pretension—hover near the margins, but are kept at bay by the tautness of prosodic control and by well-timed drops into common speech.

Central to the poem's meditation on monuments surviving in a damaged state (the tombs and churches of Ravenna, *The Divine Comedy* itself, which ends in a failure of speech and memory) are the complementary images of making and breaking that Schnackenberg anchors in key passages in the Bible, the *Aeneid* and Dante. "Ephphatha. Be thou opened," she quotes from Jesus in *Mark 7:34* where He heals the deaf stammerer, in an emblematic scene of breaking and entering as divine healing (and symbolic poetic initiation, given the nature of the affliction). Less explicitly, she seems to allude at times to the breaking of the vessels from Lurianic Kabbalah, that primordial shattering of Creation from an excess of emanating divine light. From the very first lines, when the speaker stands brokenhearted before the Byzantine tomb, the gashes, cracks and rendings of this poem are associated with healing, but also with God's failed Creation: the Byzantine vaults held up by empty earthenware jars are "Not like those vessels God had wanted to use / In creating the world but which broke in His hands." Later, the God depicted in the mosaics of the church of San Vitale is imagined trying

> To grasp at least a handful
> Of Creation, to remember it by,
> But what He touches thaws,
> And starts to trickle through itself,
> Then streams off through His hand,
> Downward, through the gilded lapse of time.

"A Gilded Lapse of Time" is in some sense a Kabbalistic poem, for God seems to have withdrawn, leaving only traces, and the restoration occurs only in acts of human making. Hence her attention to the crafts of verse, architecture, mosaic and—significantly—art historical restoration. But in the sense that healing arises from breakage, as Dante's conclusion to *Paradiso* had to be scraped, perhaps by a broken bough, from its hiding place in the wall after the poet's death, Schnackenberg's is also an obliquely Christian work, focusing on the broken human as repository of the divine. She centers that breakage in a multiple exposure of Virgilian and Dantesque passages, associating the golden bough that gained Aeneas access to prophecy and the Underworld with the sacrificial bough of Polydorus who has become a human tree in *Aeneid III* and reappears as the suicide Pier delle Vigne in *Inferno XIII*.

Schnackenberg has read the ancient poems imaginatively and powerfully, hearing in the onomatopoeic sap and blood spitting from Dante's speaking tree, "That babbling at the root of speech," the primal association of poetry with blood. To explore and redeem that blood is the project of her poem. She orchestrates it magisterially, allowing each unassuming detail in the opening passage ("a breach in the wall," "stumps of brambles / Near the muddy door to the next life," "a broken branch") to ramify throughout the entire twenty sections. The final section melds all the major images into a hallucinatory scene of initiation—the honey of prophecy, Byzantine gold, Dante's death mask, blood, a sacred breaking, all flow together:

> Angels were there, and one of them turned
>
> And struck me when I spoke, and I lifted
> my hand
> And touched blood on my mouth, and
> then I saw
> They were holding an impression from
> your face—
>
> Or rather a heavy honeycomb, and your
> words
> Were a stream of bees floating towards me
> in sunlight.
> When I opened your book I thought you
> spoke,
>
> Or else it was Gabriel lifting to my lips
> A tablespoon of golden, boiling smoke
> So wounding to my mouth I turned my
> back
>
> On the source of poetry, and then I woke.

The same ardor for unity that binds the images of the poem also controls the ghostly traces of *terza rima* and the sapient puns. The pun, the startling aural conflation, lies at the heart of all poetry,

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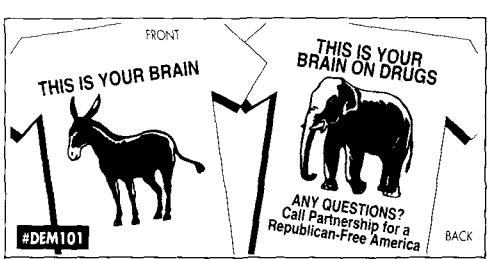

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and especially at the heart of this poem whose overwrought title seems due to the desire to point up the play on "lapse"/"apse." More seriously, Schnackenberg's puns do embody her postlapsarian theme, and it is apt for this poem that "gilded apse" should fall to "gilded lapse," that "vault" should echo "fault," that "gilt" should give way to "guilt" and that "world" should contain the "whirl" of its creation. Her work bespeaks a long apprenticeship to Dante's "blizzards" of rhyme. It also manages to bind within the compass of its will a formidable range of diction, weaving "crud" and "Ostrogothic dusk" with quotations from St. Augustine, and never entirely losing sight of the small, modern person "stranded in the aftermath" of such glory. In fact, its most touching moments occur in the evocations of that earnest tourist standing before closed doors, staggering across fields, squinting up through scaffolding and toiling over tomes in her hotel room.

Only in the long poem to Mandelstam does the drive toward unity lead the poet astray. "A Monument in Utopia" exhibits many of the same themes and techniques as its companion poems, but there is willfulness in its elaboration of images from Mandelstam's life, and the hectoring exposition seems oddly

Chalkmarks on Stone

1.
I let the thermometer slide into place,
and think of Persephone waiting for Dis
to tuck another seed under her tongue.
Her mother's daughter, her own mistress,
from the first implacable thrust she was his.
She tallies their days with chalkmarks on stone.
Circles ring those days they make love.
Anticipation's a form of bliss,
her face tilting up like a baby bird's.
Red seed, red juice, raw mouths, red kiss:
a new row, the first marks tinged with blood.
She sees that time comes down to this—
endless cycles scratched in stone
that chronicle her barrenness.

2.
The best of Hades' healers and
the worst line up to treat the Queen
of the Dead behind her lacquered screen.
Some take her pulse; some hold her hand.
One reads the iris of her eye
and gives her drops to feed her blood.
One recommends she bathe in mud.
One flushes out her womb with dye.
Daydreaming over her birth chart,
she looks for clues to "if" and "when."
She breathes in hope like oxygen,
then holds her breath so the tears won't start.

3.
Not for all the jewels in her tears,
the sapphires, flawless diamonds, pearls
she so unstintingly pours forth,
would he, by any sign, imperil
his standing as a god, his self-worth,
and let her know how these last years
unmanned him, made him greedy as a child
who's fed, but grabs at any teat,
wailing for his mother's milk.
He keeps Hades' coffers stockpiled,
but it's not for Dis to count his gold.
Her long hair's gold, soft as corn silk.
She sleeps while he untangles it.
Such things can't be bought or sold.
Such things are easily defiled.
He chokes, fighting down self-wrath.
She wakes to an avalanche of tears,
his tears, the minerals for their bath.

4.
Grass, pine, the dangling willow shoots,
elm and aspen leaves in bud,
her mother's softest rumpled sheets,
her chaste luxurious unmade bed,
the scattered sprouts of crocus—all
the earth done up in gorgeous green,
curtained and carpeted for her arrival,
months before fields turn to grain,
with time to bask in the strong light
of her mother's solar-panelled house,
eating her fruits, happy to let
the sun burn off last winter's haze.

5.
She knows the dead, knows how they toil
in furnaces, quarries, mines that yield
a flinty harvest beneath the subsoil.
She's seen them let salt run through their hands,
the way they once had sifted through grain.
But where are the unborn concealed?
Night after restless night, search beams
blaze a dead-end trail through lands
whose border-guards patrol her dreams.
Though once, awake, she thought she saw—
unsteady as two newborn fawns—
her children standing in the rain,
waiting for her to come and draw
them in. She reached, and they were gone.

6.
Mornings, in the garden, pulling weeds,
or walking by fields of purple loosestrife,
Persephone thinks back to when,
in love, not caring what would happen,
laughing, she opened her mouth to Dis
to taste his pomegranate seeds
for the first time. Both sweet and tart,
they readied her to be his wife.
She bends to gather fruit that's fallen
ripened in her mother's lap.
Grapes are browning on the trellis.
She'll be home before the cold snap.
Each year her mother says she won't part
with her; each year she lets her go.
Dressed in Autumn's cooling mist,
she carries home a handful of pollen
she culled last spring from the wild meadow
where he first caught her by the wrist.

Carol Moldaw

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unsuited to the exquisite contraction of Mandelstam's own lyrics. "Time is something I would measure," the speaker declares; the actual writing gives way to inflations and abstractions that are quite uncharacteristic of Schnackenberg. Op-ed lines like "And the later fortunes of a region / That hurled itself into a terrifying dream" suggest that the writer has become so absorbed in her thesis that she is no longer watching her words.

The final section, with its avalanche of Faustian roses, gerunds and "ideas," in its desire to end the poem transcendentally, overwhelms not only history, but language also: the roses are seen flowering ... flowering ... flowering,

> Clambering past borders
> And successions of years, with
> Multileveled, multipetaled realities
> Reaching beyond our eventual absences
> ... [etc.]

Here the poet would have done well to remember the delicacy with which Dante rendered the failure of his *alta fantasia* at the end of *Paradiso*: "Thus is the snow unsealed by the sun; thus in the wind, on the light leaves, the Sibyl's oracle was lost" (in Charles Singleton's prose).

Schnackenberg's own work has set extremely high standards for contemporary poetry. "A Monument in Utopia" does not lack for local beauty or moral force, but it has the feel of an overdetermined coda and it falls prey to some of the dangers attendant on work of such ambition. Exercises in martyrology, in particular, require a special control of tone. Here, the voice sounds strained, and the strain shows not only in weakened syntax and diction, but, more gravely, in the too-great facility with which the speaker assumes the stance of prophet and predicator. Stalin, after all, is not an elusive target.

Elsewhere in this book, Schnackenberg has turned her erudition, technical mastery and objectivity to extraordinary account, and has set wide new sights for poets of her generation. She has cracked open the lyric of personal anecdote and set it in the light of history. And she has drawn, from that breached and extended lyric, a pulse that is distinctively her own. On the evidence of this collection, Gjertrud Schnackenberg has manifestly tasted that "golden, boiling smoke" at the source of poetry.

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"Land for Peace"

Can it solve the problems of the Middle East?

Many believe that the "land for peace" formula will solve the long-simmering problems of the Middle East. They think that peace would soon come to this troubled region if only Israel surrendered Judea/Samaria (the "West Bank"), Gaza and the Golan Heights to the Arabs.

What are the facts?

A totally new concept. The concept of "land for peace" is a totally new one in the history of the world. It was formulated for one specific purpose only, namely to persuade and pressure Israel to give up territories that it has administered since the Six-Day War of 1967. By its victory in that war, Israel wound up in possession of these territories. Contrary to what many are led to believe, the "West Bank," the focus of today's attention, had never been part of any Arab country. It was part of Palestine, a territorial unit that, by the Mandate of the League of Nations and in line with the Balfour Declaration, had been designated as a national home for the Jewish people.

"A new idea, perhaps even a good one...but it needs to work both ways to be valid and effective."

Thus, while the concept of "land for peace" is a brand-new one, the concept that to the victor belong the spoils is as old as history itself. Our own country, of course, following its Manifest Destiny, has benefited greatly and has consolidated its territory by applying this motto. But Israel followed a different path. From the day of victory in 1967, it waited for an offer of peace from the Arabs. But that offer never came.

Should be 2-way street. In 1977, President Sadat of Egypt traveled to Jerusalem and presented a peace plan to the Israeli government. The Israelis eagerly embraced his suggestion. In exchange for peace and normalization of relations with its neighbor, Israel returned to Egypt the vast Sinai peninsula, together with the city of Yamit; some of the most advanced military installations in the world; the port and naval installation of Sharm-el-Sheik, and the oil fields that Israel had developed. And, of course, Israel also gave up the natural buffer against aggression that the Suez Canal and the strategic depth of the Sinai itself provided. It was a first in history. Never before in the chronicle of mankind had the victor returned conquered territory to the vanquished in order to attain peace.

One would expect that the concept of "land for peace" would work both ways. After all, should not the Arabs also make some territorial sacrifices for peace? Unfortunately, that is not the case. Every inch of land held by the Arabs is considered "holy Arab soil" and its possession by the "infidels" (Christians or Jews) is inadmissible. No compromise, no concession is ever possible.

Conflict is with Arab nations. The "land for peace" formulation is now applied mostly to Judea and Samaria (the "West Bank"), the Gaza region and the Golan Heights. Israel's foes, but also some of its friends, urge Israel to yield these regions to the Arabs, in exchange for "peace." But no peace will come about by Israel's giving up these areas of vital strategic importance to those who are its sworn enemies and who have declared over and over again that they wish to use these lands as their launching pad for the final attempt at the destruction of Israel. The conflict in the area is not only between Israel and the Palestinians. It is first of all between Israel and the Arab nations. With the single exception of Egypt, virtually all of them are still in a state of war with Israel.

To none of the Arab countries has the possibility ever occurred of *their* trading land for peace, for instance yielding the "West Bank", Gaza and the Golan Heights to Israel for the sake of peace. There isn't even a gesture of accommodation, such as a lifting of the Arab economic boycott against Israel, an apology for the odious slander that Zionism is Racism, or a discontinuation of the yearly charade in the United Nations, in which the Arab states attempt to expel Israel from that body. For the victor to yield land for peace to the vanquished is a new idea—who knows, it might even be a good one. But it surely would have to work both ways in order to be valid and effective.

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BALLYFERRITER DIARIST

Shades of green

BALLYFERRITER, AS AT LEAST SOME of the world now knows, is near the tip of the Dingle Peninsula in County Kerry—an Irish hamlet with seventeen residents, a post office, a church, a tiny supermarket and four pubs. When my wife and I arrived in early August at an old hotel just outside Ballyferriter, we felt we had never seen a quieter place.

A FEW DAYS AFTER WE GOT THERE, we had a bar lunch in one of the pubs, Teach Pheig, which means Peg's Place. (Dingle is in the Gaeltacht, the region of Ireland in which Irish—what we call Gaelic—is most frequently spoken.) Munching and sipping away, we spotted a modest notice announcing an immodest event: topless dancing the following evening, Saturday. We thought the notice must be a prank, and daring enough even so. But it happened. Two young women danced topless there on Saturday night, and Ireland shook.

THE IRISH PRESS SIZZLED, BUT NOT in the way a visitor might have imagined. *The Sunday Independent* of Dublin headlined its story KNOCKERS FAIL TO RESTRAIN TOPLESS GOLD. *The Cork Examiner* (which is not, as you might imagine, a journal for wine-bibbers) headlined its story TOPLESS BAR MANAGER SHRUGS OFF THE CRITICISM. It reported that he was an outsider—a recent arrival from Dublin, unfamiliar with Kerry ways—and that after some petitions and threats he had changed course. A few days later *The Kerryman* reported: SMOKE SCREEN TO EASE TOPLESS DANCING ROW, and told us that on the Saturday night to come there would be a strange plant on the premises and a £100 prize to anyone who would smoke a leaf of it. The plant was not identified.

BALLYFERRITER ITSELF HAD TAKEN action, unpleased with the sorts of people roundabout that the dancing had attracted and uneasy about the possible effect on children in the school not 200 yards off. The manager of our hotel, a bright and witty woman not notably bluenosed, had been sufficiently exercised to circulate a petition. The parish priest, Father Tomás Ó Hici, had preached a sermon—in the Irish he habitually used. He declined to translate for the press, who apparently don't speak the language, but he did say that he had hit out at "people with empty minds" who think that a woman stripping in a bar is "a bit of a gas."

SO MUCH FOR "QUIET" BALLYferriter. But my wife and I soon learned that the local brouhaha was only the Kerry end of a substantial wedge. Ireland is no longer quite as we in the United States have mistily imagined it. On the weekend of our village fuss, a young entertainer at a large festival in Thurles had stripped to her undies and taken off her bra, and had got her bare-bosomed picture in *The Sunday Independent*. A few days later *The Irish Times* ran a column on sexual abuses by priests and a story about a proposal by a member of the Dáil, the lower house of the Irish parliament, calling for "a rigorous system of quality control" on condoms sold in Ireland. *The Sunday Independent* ran a long feature by a woman that began, "Catholic Church pronouncements on sexual morality are not exactly uncommon, and one could be forgiven for greeting the news of yet another papal encyclical on the matter with profound disinterest." Later she said, "Catholics have learned to think for themselves about sexual morality, whether the pope likes it or not."

ANOTHER WOMAN, A PSYCHOLOgist who writes a column for *The Independent*, also regularly runs an ad listing phone numbers at which you can call her about sexual problems—a number for every problem—twenty-four hours a day, seven days a week. There are ten problems: Getting Closer to Girls, Am I Gay?, Impotency, Masturbation, Premature Ejaculation, Turning Women On, Turning Men On, Spice Up Relationships, Achieving Orgasm, Be Confident with Men. And the Irish Film Centre of Dublin recently was host to the twenty-film 1993 London Lesbian and Gay Program.

BUT THE OLD IRELAND, THE IRELand of quaint ways and twinkly charm, has most certainly not disappeared. Is there a newspaper in the world other than *The Irish Times* that would provide a good-sized blank "Scribble Space" every day next to the crossword puzzle? That's the kind of Irishness that visitors (I unblushingly admit) really want—exemplified further by the sign in a shop window in Dingle, an endearing if slightly touristy town eight miles east of Ballyferriter:

Jack O'Rourke
Turf Accountant
Ante-post Betting on All Major Events
Horses Dogs Football Politics

SPEAKING OF BETS, WE WENT TO the second day of the annual three-day Rásaí an Daingin—the Dingle Races. They were held in a great grassy field with a full-size track staked out conventionally and with a small rough concrete grandstand without chairs. Punters (bookies), more than a dozen of them, were lined up near the stand, each with his—or her—box to stand on, next to a handwritten list of the horses in each of the six races, on which they continually changed the odds. About the horses I can't speak except to say that they were all beauties and that their racing around that grass track, with Dingle Bay and sheep-dotted pastures and soft hills rising behind them, under a constantly changing sky, was an experience of loveliness. The Dingle track may be unique in that, on the far side from the stand, there is a slight slope up and then down again. The announcer, on his own stand with binoculars and mike, would call: "Now they're striding up the hill for the first time, all taking it extremely well." What would Belmont Park say?

ALL OF THE ANNOUNCER'S COMments came over the P.A. system in lilting eloquence. "'Flying Wild' ran a markedly fine race yesterday, as many of you will recall, and today she has won rather impressively." I thought of Bernard Shaw's remark: "When I say that I am an Irishman, I mean that I was born in Ireland and that my native language is the English of Swift and not the unspeakable jargon of the mid-XIX century London newspapers."

IT'S FACILE TO SENTIMENTALIZE about one incident as representing a country, but it's also a pleasant thing to do. One day after lunch my wife and I went for a walk along a country road, and soon two girls, about 14 years old, came bicycling toward us, all long legs and flying hair—red, of course. As they passed, one of them called out, "Top of the afternoon to you both." I was so suddenly stunned into tears that I couldn't reply. I'm replying now.

TOP OF THE AFTERNOON TO *YOU*, young Irish ladies. And of many, many afternoons to come.

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